



**CONSTITUTION OF THE
AMERICAN LEGION AUXILIARY
DEPARTMENT OF IDAHO**

Revised July 2022
July 2023

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 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 American Legion Auxiliary, Department of Idaho.

ARTICLE II

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 nonpolitical and shall not be used for the dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III

Eligibility

- Section 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion.

- Section 2. Membership in the American Legion Auxiliary shall be limited to the:

(1) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and

(2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 who, being a citizen 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 either eligibility periods and died in the line of duty or after honorable discharge;

(3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and

(4) to those women who of their own right are eligible for membership in The American Legion

- Section 3. There shall be two classes of membership, Senior and Junior.

- a. Senior membership shall be comprised of members age eighteen and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen years and married shall be classed a Senior member.
- b. Junior membership shall be comprised of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.
- c. Dues of both shall be paid annually or for life.

ARTICLE IV

Department Officers

- Section 1. The Department Convention shall elect annually a President, Vice President and a Historian.
- Section 2. A Department Secretary and Treasurer, chosen from the membership, shall be appointed by the Department Executive Committee at its first meeting following the Department Convention.
- Section 3. A Department Chaplain and a Department Sgt-at-Arms shall be appointed from the membership by the Department President.
- Section 4. The National Executive Committeeperson shall be elected for a term of two (2) years.
- Section 5. The incoming Department President shall automatically become the Alternate National Executive Committeeperson. In the absence of the National Executive Committeeperson, the alternate National Executive Committeeperson shall assume the duties of the office.
- Section 6. Each District in the Department shall elect a District President and a Vice President at the District meeting preceding the Department Convention. The District Presidents shall be Department Second Vice Presidents. After ratification of election at the Department Convention, the District Presidents shall be installed with the other Department Officers.

ARTICLE V

Department Executive Committee

- Section 1. Between Department Conventions the Department Executive Committee shall serve as the governing body of the organization with full fiduciary, policy and strategic responsibility of the organization.
- Section 2. The Department Executive Committee shall be comprised of the Department President; the Department Vice President; the nine District Presidents; the Department Secretary, Treasurer, Chaplain and Sergeant-at-Arms, who shall serve without vote; the Department Historian; the National Executive Committeeperson; the two immediate Past Department Presidents and the Chairperson of the Department Finance Committee.
- Section 3. All Past Department Presidents in good standing in their respective Units shall be members for life of the Department Executive Committee and shall, with the exception of those named in Section 2, serve without vote.

- Section 4. The second and third members of the Department Finance Committee, shall meet with the Department Executive Committee in an advisory capacity without vote. In the absence of the Finance Committee Chairperson, one other member shall be entitled to vote.

ARTICLE VI

Department Convention

- Section 1. The American Legion Auxiliary Department Convention shall be held annually at the same time and place as the Convention of The American Legion Department of Idaho for the purpose of electing officers, receiving reports, and transacting such other business as shall properly come before it.
- Section 2. Representation in the Department Convention shall be by Unit. Each Unit shall be entitled to two delegates for its basic ten members and to one additional delegate for each additional twenty-five members or major fraction thereof, whose dues are current and to one alternate for each delegate. The voting strength of the Unit shall be equal to the number of delegates to which the Unit is entitled, provided all delegate fees have been submitted to the Department Treasurer not less than fifteen days prior to Department Convention.
- Section 3. Voting shall be by Units. Each delegate shall be entitled to one vote. The vote of any delegate absent and not represented by an alternate may be cast with the majority of the delegates present from the Unit. Alternates shall fill vacancies in the order elected.
- Section 4. The voting body shall consist of Unit delegates, delegates-at-large, elected Department Officers, District Presidents, Past Department Secretaries and Treasurers who shall have served continuously for a period of not less than ten years. Past Department Presidents who are not acting as Unit delegates and who are in good standing in their respective Units may register as delegates-at-large.
- Section 5. A quorum shall exist at a Department Convention when fifteen percent (15%) of the Units in good standing are represented. For definition of a Unit in good standing refer to the By-laws Article VI Section 9.

ARTICLE VII

- Section 1. The fiscal year of this Department shall be August 1 to July 31.

ARTICLE VIII

Amendments

Section 1. This Constitution may be amended at any Department Convention by a two-thirds vote of the Department delegates, provided the proposed amendments shall have been submitted through the Department Secretary by April 5th, and to the Units and members of the Department Executive Committee no later than May 1st and provided further that all proposed amendments shall be read at a regular meeting of the convention the day before the vote is taken.

Section 2. Amendments proposed after distribution as shown in Section 1, hereof may be adopted by a two-thirds vote of the delegation, provided they have been read twice, once the first day of convention and once prior to taking the vote.

Section 3. Amendments not previously read or distributed as required in Section 1, may be adopted by unanimous vote of the Department delegates.

Dated July 15, 2023

Carol Dalton

Department President

M. Joann Babbitt

Department Secretary

Barbara Wadlow

Department Constitution & Bylaws Chairperson

BYLAWS OF THE AMERICAN LEGION AUXILIARY DEPARTMENT OF IDAHO

ARTICLE I

Organization

- Section 1. The American Legion Auxiliary Units in the Department of Idaho shall be organized into Districts which shall act as a liaison between the Units and Department for the purpose of promoting the programs of the American Legion Auxiliary. The boundaries of Districts shall conform to the District boundaries as determined by The American Legion.

ARTICLE II

Election of Officers

- Section 1. The election of the following officers shall be by secret ballot: Department President, Department Vice President, Department Historian and National Executive Committeeperson. A majority of votes cast shall be necessary to elect. In the event of a tie vote the nominees shall decide by lot. When there is but one candidate for an office, the secret ballot may be dispensed with and the nominee elected by voice vote.
- Section 2. Nominations for the elected officers shall be made from the floor on the day preceding the election and shall remain open until the time of election. The election shall take place the last day of the convention.
- Section 3. The District Presidents shall be nominated as Department Second Vice Presidents and ratified by the Department delegates.
- Section 4. The elected officers shall serve until adjournment of the succeeding Department Convention or until their successors are chosen, with the exception of the National Executive Committeeperson. The Department Secretary and Treasurer may serve unlimited terms and may be re-appointed annually by the Department Executive Committee. All vacancies occurring between Department Conventions, with the exception of the Department Second Vice Presidents, shall be appointed by the Department President with the approval of the Department Executive Committee.
- Section 5. All Department Officers, members of the Department Executive Committee and members of all Department Committees shall be in good standing in their respective Units.
- Section 6. Any Past Department President or past Department Vice President may be eligible for re-election to either office provided she has been out of office for no less than three (3) terms.

- Section 7. If the current Department Historian does not choose to enter the line of succession, she will be eligible for re-election to the office of Department Historian for no more than two terms in succession.

ARTICLE III

Duties of Department Officers

Section 1. Department President:

- a. It shall be the duty of the Department President to preside at all sessions of the Department Convention and meetings of the Department Executive Committee; to appoint a Chaplain, Sgt-at-Arms and a Parliamentarian; to appoint Chairpersons of standing committees, with the exception of Membership and National Security; and to appoint the third member to three-member committees, with the exception of the Education Committee.
- b. Should a vacancy occur in any of the three-member committees the Department President shall appoint a third member to the committee.
- c. The Department President shall be an ex-officio member of all committees.
- d. The Department President shall have the power to appoint members to special committees when found necessary for the welfare of the Department.
- e. In the event the Department President becomes incapacitated or is otherwise unable to discharge the duties of the office, the Department Executive Committee may declare the position vacant.

Section 2. Department Vice President:

- a. The Department Vice President shall be the Department Membership Chairperson. The Vice President shall assume the duties assigned by the Department President.
- b. It shall be the duty of the Vice President to act for the President in the absence or inability to act by the President.
- c. In the event of a vacancy in the office of the Department President, the Department Vice President shall become Department President. If the unexpired term of office is less than six (6) months the person so named shall be eligible to election by regular process to the office of Department President.
- d. In the event of a vacancy in the Department Vice Presidency, the Department Second Vice President from the Department Vice President's district will assume the office of Department First Vice President, regardless of previous service to the Department or of the positions held for the remainder of that term.

Section 3. Department Secretary:

- a. It shall be the duty of the Secretary to record the proceedings of the organization in all convention sessions and meetings of the Department Executive Committee.
- b. The Department Secretary shall have a record of the proceedings of the Department Convention and all proceedings of the Department Executive Committee for the preceding year available by November 15. The outgoing Department Officers and Second Vice Presidents shall receive a free copy.
- c. The Department Secretary shall be the custodian of all Department records. The secretary shall receive and transmit all literature, issue calls of meetings and receive and answer all official mail under the direction of the Department President. Following completion of compilation of the Department History by the Department Historian in a manner suitable for binding, it shall be the responsibility of the Department Secretary to arrange for binding.
- d. The Department Secretary shall be authorized to sign checks for the Department.

Section 4. Department Treasurer:

The Department Treasurer shall be the custodian of all Department funds and account for the same. The Treasurer shall receive and transmit all dues. The Treasurer shall make a report of the financial condition of the organization at each convention and whenever called upon by the Department Executive Committee. The Treasurer shall give bond for the sum the Department may direct, to be paid by the Department. The Treasurer shall assist the Finance Committee in the preparation of the budget to be presented to the Department Executive Committee prior to the Department Convention and to the convention body.

Section 5. Chaplain:

It shall be the duty of the Department Chaplain to offer prayer at the opening and closing of each day's session of the Department Convention and to perform such other duties as the Department may direct.

Section 6. Historian:

It shall be the duty of the Department Historian to compile the historical records of the Department and to make a report to the Department Convention and to the National Organization. The history shall be presented to the Department Secretary in a form suitable for binding.

Section 7. Sergeant-at-Arms:

It shall be the duty of the Department Sergeant-at-Arms to maintain order at all

Department meetings. The Sergeant-at-Arms shall be responsible for the advancement and retirement of the Department colors and their proper care, for the courtesies to guests and for such other duties as the Department President may assign.

ARTICLE IV

Department Executive Committee

Section 1. Administrative authority:

- a. The administrative and executive power between Department Conventions shall be vested in the Department Executive Committee, but without power to modify action of the previous Department Convention. The Department Executive Committee shall have the general supervision and control of all property of the Department.
- b. The Department Executive Committee shall have the power to approve any vote taken electronically and to take necessary action on any business pertaining to the welfare of the Department.
- c. The Department Executive Committee shall have power and authority, in case of emergency, to call a Department Convention, provided that notice of at least thirty (30) days prior thereto shall be given to all Units and the reason for calling said convention. Place of meeting on such occasion shall be designated by the Department Executive Committee.
- d. The Department Executive Committee shall have the authority to appoint subcommittees to act on matters delegated to it.

Section 2. Scheduled Meetings

- a. The Department Executive Committee shall meet prior to the Mid-winter Conference at a time and location designated by the Department President.
- b. The Department Executive Committee shall meet within twenty-four (24) hours prior to the opening of each Department Convention.
- c. The incoming Department Executive Committee shall meet within twenty-four (24) hours following the adjournment of Department Convention.

Section 3. Special meetings:

- a. Special meetings of the Department Executive Committee may be called to conduct business of immediate concern that cannot be postponed until the regular meeting time. The meeting may be called by the Department President or by three voting members of the DEC.
- b. Notice of the meeting must be given no less than three days prior to the scheduled

meeting. Notice must go to all voting and non-voting members of the DEC. The notice must state the time, date, and place (online or in person) of the meeting. A quorum of voting members must be assured before the meeting may take place.

- c. Notice of the meeting must stipulate the purpose of the meeting. Only matters stipulated in the purpose may be considered in the meeting.

Section 4. The Department Executive Committee may, by majority vote of the committee, remove the Department Secretary or Department Treasurer from office for not fulfilling the duties of the office, conduct unbecoming an officer of the American Legion Auxiliary or for not working in the best interest of the Department.

Section 5. The incoming Department President shall submit a list of committee appointments to all members of the Department Executive Committee at the Department Post-Convention Department Executive Committee meeting. The committee appointments shall be ratified at this meeting provided there is a quorum present.

If there are vacancies on any committee or a quorum not present at said meeting, the Department Secretary shall send the list of appointees in ballot form electronically or first-class mail to all voting members of the Department Executive Committee. Each member of the Department Executive Committee shall approve or disapprove all or any part of the appointments and return their vote to the Department Secretary electronically or first-class mail within ten days of the date on said ballot. All ballots not received within a twenty-day period shall be considered affirmative votes.

Section 6. The Department Executive Committee shall ratify the Idaho Syringa Girls State, Incorporated Board of Directors and Girls State Director and Coordinator at the Department Post-Convention Department Executive Committee meeting.

The Department Executive Committee shall also approve/disapprove any and all amendments, additions, changes to the Idaho Syringa Girls State, Incorporated Bylaws and Standing Rules.

Section 7. All votes taken electronically or by mail during the year by the Department Executive Committee shall be ratified and confirmed at the Executive Committee meeting immediately prior to Department Convention, provided that there has been no other meeting of the Executive Committee in the interim.

Section 8. Nothing in the Bylaws shall empower the Department Executive Committee or any assembly or committee other than the Department Convention to abolish an elective office or limit the power and authority of an elective office.

Section 9. A majority of the voting members of the Department Executive Committee shall constitute a quorum.

Section 10. Closed meeting

Also known as executive session, a closed meeting consists of only the voting members of the DEC and shall be called only for the deliberation and discussion of:

- Hiring and personnel issues
 - Disciplinary action
 - Property purchase
 - Legal issues, claims, or lawsuits.
- a. A motion and consent of a majority will be required to enter into a closed meeting for the purpose of discussing one of the above topics.
- b. Final action may not be taken during a closed meeting but will be brought forward as a motion when the open meeting resumes.

ARTICLE V

Department Committees

- Section 1. There shall be the following core Department Standing Committees: Veterans Affairs and Rehabilitation, Children and Youth, Americanism, National Security, Membership, Constitution & Bylaws, Finance, and Audit. In addition, there shall be other mission and member/organizational support committees as may be provided in the Standing Rules.
- Section 2. The composition, terms, and purpose of the Department Standing Committees and Mission Committees shall be as provided in the Standing Rules.

ARTICLE VI

Unit Organization

- Section 1. 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.
- Section 2. The minimum membership of a Unit shall be ten (10) Senior members, with the exception of a Department Headquarters Unit that shall have no minimum membership requirement.
- Section 3. A Unit shall be given the name, location and number of the American Legion Post to which it is attached.
- Section 4. Each Unit of the American Legion Auxiliary shall be responsible for verifying eligibility

and deciding its membership, subject to the restrictions of the national governing documents. Any person who is a member of an organization which has for its aim the overthrow of the United States Government or who subscribes to the principles of any group opposed to our form of government shall not be eligible to become or remain a member of the American Legion Auxiliary.

Section 5. Membership

- a. No person may at any time be a member of more than one Unit.
- b. Any member in good standing in a Unit, shall be entitled to transfer to another Unit.
- c. Any member in good standing wishing to transfer to another Unit must present to the new Unit a current membership card. Upon acceptance of the transfer by the new Unit, the Unit Officer will complete the transfer section on the Member Data Form. The new Unit Officer and member must sign and date the Member Data Form to be valid. The member shall then be entitled to active membership in said Unit. No dues shall be transferred.
- d. A Unit member may withdraw their membership providing their current dues are fully paid. Upon withdrawal, however, they 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 move membership from one Unit to another during the current year, it shall be done by transfer not by withdrawal.

Section 6. The Secretary and or Treasurer of the Unit shall be bonded, such position bond being paid by the Unit every 3 (three) years and paid to Department Headquarters.

Section 7. Unit Officers shall be elected before the last regular meeting of the Unit prior to the Department Convention and may be installed prior to the convention or following the Department Convention.

Section 8. 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 9. A Unit is in good standing when it has a minimum of ten (10) paid senior members, the unit postage fee and bond are current and the unit charter not been suspended, canceled or revoked.

ARTICLE VII

Suspension Cancellation and Revocation of Charters

Section 1. The Department Executive Committee may suspend, cancel, or revoke Unit charters for good cause.

- Section 2. Any Unit that a) fails to meet obligations imposed upon it by the governing documents, policies, or requirements of the National Organization or the Department or b) ceases to function as an American Legion Auxiliary Unit from one Department Convention to the next shall surrender its charter at the direction of the Department President. When a Unit so directed to surrender its charter fails to do so, the Department Executive Committee may take immediate steps to revoke the charter.
- Section 3. An American Legion Auxiliary Unit whose charter has been suspended, cancelled or revoked by the Department may appeal the decision of the Department Executive Committee to the National Executive Committee, as provided in the National Standing Rules.
- Section 4. Upon suspension of an American Legion Auxiliary Unit charter, the Department Executive Committee is authorized, by and through its duly authorized agents, to take possession, custody and control of all records, assets property and belongings of the Unit and to provide for the governance and administration of the Unit during said suspension.
- Section 5. With regard to suspensions, cancellations, and revocations of Unit charters, in no event shall the Department organization be required to assume any financial obligation with regard to records, assets, property, and belongings.
- Section 6. The Department Executive Committee may order as a disciplinary measure the suspension of a Charter for a period not to extend beyond the closing of the next succeeding Department Convention or pending action relative to final revocation.
- Section 7. Cancellation of a Unit Charter shall be in order when two (2) or more Units merge, when a Unit ceases to function, or under such other conditions as might make such action necessary within the Department.

ARTICLE VIII

Finance

- Section 1. The revenue of the Department shall be derived from annual dues collected by the Units and from such other sources as may be approved by the Department Executive Committee. The Unit shall remit to the Department Treasurer the amount of the Department dues, which shall be deposited in the general funds of the Department. In addition to the above amounts, the Unit shall also remit to the Department Treasurer the current amount of National dues. A member's status is dependent upon timely payment of dues as provided in the Standing Rules.
- Section 2. All remittances shall be sent by Units directly to the Department Treasurer as dues are received to be expended in accordance with the budget adopted by the Department Convention.

Section 3. Poppy proceeds shall be used for the rehabilitation and welfare of veterans, active-duty servicemen and women and their families. Proceeds of poppy donations in each Unit shall be forwarded to the Department Treasurer according to the following formula:

Ten percent (10%) of the net proceeds shall be dedicated to grants to veterans eligible for membership in the American Legion and to the sons and daughters of veterans eligible for membership in the American Legion and for the Department Nurses Scholarship.

Of the remaining, sixty percent (60%) shall be retained by the Unit for its Veterans Affairs and Rehabilitation and Children and Youth programs to be used specifically for veterans and their families.

The remaining 40 percent (40%) shall be forwarded to the Department Treasurer to be apportioned between the Veterans Affairs and Rehabilitation and Department Children and Youth funds to be used specifically for veterans and their families. The Department President and Department Treasurer in conjunction with the chairpersons of the respective committees shall determine the use of these funds, with the approval of the Department Executive Committee.

Section 4. All persons handling funds of the Department shall be bonded by the Department.

Section 5. With the exception of the Department Secretary and Treasurer, there shall be no paid officers. Necessary expenses incurred by the Department Secretary, Department Treasurer and the Department Historian in the exercise of their services and duties may be reimbursed from the Department Treasury, not to exceed the budgeted amount, upon the presentation of receipts and approved by the Department Finance Committee.

Receipts for non-budgeted amounts shall be submitted to the Department Secretary to be forwarded to the Finance Committee for approval. Reimbursements shall be paid quarterly upon presentation of approved receipts.

Section 6. Necessary expenses incurred by the Department President and Vice President in the exercise of their duties shall be paid from a prearranged expense account established annually for each by the Department Finance Committee and approved by the Department Executive Committee. Necessary expenses shall be reimbursed upon the presentation of corresponding receipts.

Section 7. The Department Executive Committee, by two-thirds vote, may levy an emergency assessment.

Section 8. Monies sent to the VAVS Deputies for the Veterans Homes and Veterans Hospital, are to be accounted for in its entirety. Separate checking accounts (one for each Veterans Home and the hospital) will be maintained by the VAVS Deputies. The Field Service/VAVS Deputy for each home and the hospital will have the means or ability to purchase supplies as needed. Copies of receipts for all monies spent are to be forwarded to Department quarterly. Copies of bank statements are to be sent to the Department. Each VAVS Deputy may appoint another member to be an additional signee on their

account. The Department Treasurer is automatically a signee on all accounts. The monthly budgeted amount for each account is to be determined annually as funds are available at the Department Convention.

ARTICLE IX

Delegates to National Convention

- Section 1. The National Executive Committee person and all other National elective officers from the Department shall be delegates-at-large to National Convention.
- Section 2. The retiring Department President and Department President-elect shall be seated as delegates to National Convention by virtue of their respective offices. The retiring Department President shall be the delegation Chairperson and shall appoint a secretary from the delegation.
- Section 3. All other delegates and alternate delegates to which the Department is entitled shall be elected from the entire convention body; said election to take place the last day of the convention.
- Section 4. All elected delegates and alternate delegates shall be seated in the order of election. In the event elected delegates are unable to assume their duties, vacancies shall be filled by alternate delegates.
- Section 5. Prior to election the Department Secretary shall announce the number of delegates and alternate delegates to be elected. Nominations shall be made from the floor of the convention. If there are more nominees than delegate or alternate delegate seats to be filled; election shall be by secret ballot. If there are no more nominees than delegate or alternate delegate seats, the election shall be by voice vote.
- Section 6. Each Unit shall vote its delegation strength. The delegation strength of each Unit shall be announced by the Department Secretary prior to the election.

ARTICLE X

Subsidiary Organizations

- Section 1. A separately incorporated American Legion Auxiliary subsidiary organization shall conform and comply with all legal and organizational requirements of the National Organization to ensure that the required constant and continuous control of all trademarks and trade name law is satisfied. All subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by the United States trademark laws and by actions of the American Legion Auxiliary National Convention or the American Legion Auxiliary National Executive Committee. At minimum, each subsidiary organization must comply with the regulations provided in the Standing Rules.

- Section 2. All subsidiary organizations of the American Legion Auxiliary Department of Idaho shall be subject to regulation by action of the Department Convention or the Department Executive Committee.
- Section 4. All subsidiary organizations shall be required to present annual reports of their activities to be printed in the Book of Proceedings and at Department Convention at the request of the Department President.

ARTICLE XI

Parliamentary Authority

- Section 1. The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern this organization in all cases in which they are applicable and consistent with applicable state statutes, the Department Constitution & Bylaws, Standing Rules and Special Rules.

ARTICLE XII

Amendments

- Section 1. The Bylaws may be amended at any Department Convention by a two-thirds vote of the Department delegates, provided the proposed amendments shall have been submitted through the Department Secretary by April 5th and distributed no later than May 1st to the Units and members of the Department Executive Committee. Provided further that all proposed amendments shall be read at a regular meeting of the convention the day before the vote is taken.
- Section 2. Amendments proposed after distribution as shown in Section 1 hereof may be adopted by a two-thirds vote of the delegation, provided they have been read twice, once the first day of convention and once prior to taking the vote.
- Section 3. Amendments not previously read or distributed as required in Section 1, may be adopted by unanimous vote of the Department delegates.

ARTICLE XIII

Authority

The authority under which all Departments, Units, subsidiaries, intermediate bodies, and

affiliated entities of the American Legion Auxiliary shall function is vested in the National Constitution & Bylaws and such Standing Rules as have been duly adopted. Any provision of any Department or Unit Constitution or Bylaws, any subsidiaries, intermediate bodies, and affiliated entity's bylaws, or any regulation of any Departments, Units, subsidiaries, intermediate bodies, and affiliated entity in conflict with the foregoing authority shall be void.

Dated July 15, 2023

Carol Dalton
Department President

M Joann Babbis
Department Secretary

Barbara Wadlow
Department Constitution & Bylaws Chairperson

Code of Ethical Conduct

American Legion Auxiliary members are expected to comply with the organization's governing documents and comport themselves according to the following Code of Ethical Conduct:

As a matter of fundamental principle, the American Legion Auxiliary will adhere to the highest ethical standards to earn and protect the public's trust in our performance to carry out the Auxiliary's mission, uphold rigorous standards of conduct, and be good stewards of our resources.

CODE OF ETHICAL CONDUCT

Personal and Professional Integrity All members, volunteers, and staff of the American Legion Auxiliary act with honesty, integrity, and openness in all their communication, business, and transactions as representatives of the American Legion Auxiliary (organization). The organization promotes an environment that values fairness and commitment to the organization's founding principles and demonstrates respect for others. All officers, board members, staff, and volunteers shall conduct their personal and professional lives in a manner befitting the organization's mission and values, recognizing that their actions reflect upon the creditability and reputation of the American Legion Auxiliary. All officers, board members, staff, and volunteers shall work to positively influence their environment to build respect, creditability, and strategic importance of our organization to the public, our members, and the communities we serve.

Legal Compliance The American Legion Auxiliary will be knowledgeable of and comply with all applicable federal, state and local laws and regulations, including but not limited to: complying with laws and regulations related to human resources, financial accountability, taxation, fundraising, trademark protection, and licensing. Officers, board members, staff, and volunteers shall exercise due diligence in obtaining information on applicable laws and regulations for their jurisdiction.

Governance The Idaho American Legion Auxiliary's governing body (Department Executive Committee) is responsible for setting the strategic direction of the organization and oversight of the finances, operations, policies and programmatic performance.

Responsible Stewardship The boards, officers, staff, and volunteers of the Auxiliary are responsible for managing and preserving the organization's assets. Officers, board members, staff, and volunteers are expected to understand their fiduciary responsibilities so that the charitable purposes of the organization are carried out and assets are properly safeguarded and managed.

Openness and Disclosure The American Legion Auxiliary will provide comprehensive and timely information to the public, the media, and its members, and is responsive to reasonable requests for information. All information about the organizations will fully and honestly reflect the policies and the practices of the organizations.

Conflict of Interest The organization has the right to expect that the decisions made by the boards, officers, staff, and volunteers of the Auxiliary are made objectively and in the best interest of the organization. To avoid the appearance of impropriety by those who could benefit directly or indirectly from any action include requirements to fully disclose all potential and actual conflicts of interest and prohibitions on activities that conflict with legal, ethical, and fiduciary obligations to the organization.

Fundraising The organization shall take care to ensure that all means and materials for solicitation accurately and correctly reflect its mission and use of solicited funds. The American Legion Auxiliary shall respect the privacy concerns of individual donors and expend funds consistent with donor intent.

STANDING RULES

DEPARTMENT ORGANIZATION

1. The Department Headquarters shall be located in the Boise area.
2. The American Legion Auxiliary shall coordinate with the American Legion on all similar governance and program matters, and conduct itself at all times in a manner that ensures harmony.
3. The Judge Advocate of The American Legion shall be the Counsel General of the American Legion Auxiliary on all matters pertaining to the Constitution and Bylaws and such other duties as are usually incident to the office.
4. All requests for information from and opinions by the National Counsel General MUST come through the Department Secretary or Department President.

DEPARTMENT CONVENTION

1. Each convention shall have a Committee on Rules. Convention Rules are adopted at the beginning of each Department Convention.
2. The Department President shall appoint the Department Convention Chairperson, who will have complete charge of the preliminary plans and local arrangements of the Department Convention, subject to consultation with and approval of the Department President. The Department Convention Chairperson shall appoint convention personnel on the local level, including a secretary and members of all committees necessary for the function of the Department Convention; such appointments to be approved by the Department President.
3. The Department President shall appoint committees such as Distinguished Guest Chairperson, Rules Chairperson, Credential Chairperson and Resolutions Chairperson.
4. Each Unit shall remit to the Department Treasurer a registration fee of fifteen dollars (\$15.00) per delegate, based upon its voting strength. Units must submit delegate fees to the Department Treasurer no later than twenty days (20) prior to the Department Convention. Delegates-at-large must also submit their delegate fees to the Department Treasurer no later than twenty (20)

days prior to the Department Convention. Any Unit or delegate-at-large who fails to remit delegate fees as specified herein shall forfeit voting privileges at the Department Convention.

5. Voting delegates, non-voting alternates and guests shall be immediately identifiable by color of convention badges. It shall be the duty of the Department Sgt-at-Arms and assistants to monitor all voice voting, as well as rising voting, to prevent illegal voting by any but duly registered delegates. No alternate shall assume the duties of a delegate until properly registered through the Credentials Committee.
6. It shall be the duty of the Department President to fill, by temporary appointment, all vacancies on convention committees resulting from the absence of any member.
7. The Department President shall appoint a committee to review and approve the Department Convention minutes prior to the compilation of the book of Proceedings.
8. Additional copies of the Book of Proceedings, either paper or electronic, will be available for a fee upon request through the Department office or the Department website.

MID-WINTER CONFERENCE

1. Midwinter Conference shall be held in conjunction with the American Legion Midwinter Conference at the same time and location.
2. Members of Units throughout Idaho shall meet for the purpose of receiving information and/ or training regarding the programs and policies of the American Legion Auxiliary.
3. The Department Finance Committee shall meet during the Midwinter Conference to review the finances and budget of the Auxiliary.
4. The Girls State Corporation shall conduct a Corporation Meeting at Midwinter Conference.
5. The Department Executive Committee shall meet during the Midwinter Conference.
6. A registration fee of Fifteen (\$15) per attendee shall be paid to defray the expenses of the Conference. Registration forms shall be posted on the Department website or may be mailed to the Unit upon request.
7. All Mid-Winter information will be sent via email to all Department Officers, Chairmen, District Presidents and Unit Presidents. The information shall also be posted on the Department website.

NATIONAL CONFERENCES

1. Expenses of the incoming Department President, incoming Membership Chairperson, and Department Secretary to attend the Department Leadership Conference shall be paid from National funds budgeted for that purpose, with the exception of the registration fees, which

shall be paid by Department.

RESOLUTIONS

1. The Department Secretary shall submit all resolutions pertaining to conduct or policy of the Department to the Department Convention Resolutions Committee prior to presentation at the Convention.

ENDORSEMENTS OF CANDIDATES

1. The American Legion Auxiliary, Department of Idaho, shall endorse no candidate for election to National Office more than three years prior to the year of nomination for election. Any candidate seeking endorsement by the Department must first be endorsed to the Department by their Unit.
2. Any candidate from the Department seeking National Office shall first have the endorsement of the Department Convention in regular session.
3. Any candidate seeking a Department Office shall first have the endorsement of their Unit and/or District. If a nomination is made from the floor of the Convention, the nomination must be made by a Unit or District representative.

DUTIES OF OFFICERS

In addition to the duties of the Department Officers and Chairpersons outlined in the Department Constitution and Department Bylaws they will be governed by the following rules and regulations:

DEPARTMENT PRESIDENT:

- a. The Department President shall be one of the signatures on all money accounts of the Department.
- b. The Department President shall issue the Official Call to Convention at least thirty (30) days prior to the convention date.
- c. The Department President shall see that all Department Officers and Department Chairpersons are advised of their duties and responsibilities.

DEPARTMENT SECRETARY:

- a. It shall be the duty of the Department Secretary to oversee and supervise the transcribing of the convention minutes as taken by the Convention Secretary, in a form containing proper punctuation, sentence structure, and acceptable grammar and spelling.

- b. The Department Secretary shall be responsible for the proper recording of all motions, whether carried or lost. The Secretary shall be responsible for recording in the minutes all proposed amendments to the Constitution and Bylaws, recording the article or section to be amended, the amendment and the result of the vote.
- c. The Department Secretary shall be responsible for recording in the minutes the results of roll call votes and all standing counted votes.
- d. The Department Secretary shall be responsible for receiving all annual reports of the Department Officers and Standing Committees. Daily reports of the Credential Committee and all other Convention Committees shall be recorded in the Book of Proceedings, each to be properly signed by officers and/or committee members.
- e. The Department Secretary shall be responsible for recording all the Department Awards by Officers and Committees, and shall be recorded in the Book of Proceedings.
- f. Names and addresses of all elective Department Officers and Department Chairpersons shall be submitted to National Headquarters no later than thirty (30) days following the close of Department Convention. This includes the Department Secretary and Department Treasurer, whether elected or appointed.

DEPARTMENT TREASURER:

- a. The Department Treasurer shall send quarterly finance reports to the five (5) members of the Finance Committee, prior to committee meetings. These reports shall include legible copies of the bank statements, time cards, a profit and loss statement, and requests for reimbursement. Other documentation may be requested by the Finance Committee from time to time.
- b. The Department Treasurer will not refund over-payments to Units under \$5.00. Over-payments not refunded will be donated to the general fund.
- c. Funds need not be transferred to another bank with the change of the Department Treasurer. The only requirement should be an auditing of the books and a revision of the signature cards at the bank.

DEPARTMENT HISTORIAN:

- a. The Department Historian shall be responsible for compiling and sending to the Units and Districts an outline and rules for Unit and District Histories that are to be submitted in contest for awards.
- b. The Department Historian shall compile a history of the year served. The Department History shall be completed in time to be entered into the contest at National Convention.

- c. The Department Historian shall compile all historical records; i.e., Department History, District Histories, Unit Histories and reports of officers and Chairpersons in a manner suitable for binding.
- d. Expenses allowable for the Department Historian shall be determined by the Finance Committee. Acceptable expenses shall include but are not limited to: awards, paper, notebooks and postage. The Department Historian shall submit all receipts for expenses to the Department Treasurer at least two days prior to the Department Convention.

DEPARTMENT STANDING COMMITTEES

Section 1. Three Member Committees:

- a. The committees on Americanism, Children and Youth, Veterans Affairs and Rehabilitation, Finance, Education, Junior Activities and Poppy shall be composed of three members appointed by the Department President subject to the ratification of the Department Executive Committee. One member shall be appointed each year by the Department President to serve for a three-year term.
- b. The committee members shall be selected in such manner to best represent the geographical areas of the Department, with the exception of the Poppy and Veterans Affairs and Rehabilitation Committees, which will be appointed from the proximity of the Veterans Administration Hospital and the Idaho Veterans Homes.
- c. Purposes:
 - a) The purpose of the Americanism program is to promote patriotism and responsible citizenship.
 - b) The purpose of the Children and Youth Committee is to work collaboratively with The American Legion to promote programs that protect, care for, and support children and youth, especially those of our military and veterans.
 - c) The purpose of the Veterans Affairs & Rehabilitation Committee is to promote programs and services that assist and enhance the lives of veterans and their families, ensuring restoration and/or transition to normally functioning lives.
 - d) The purpose of the Department Finance Committee is to oversee the development and implementation of general department financial policy subject to approval or ratification by the Department Executive Committee, and to provide oversight of budgeted funds in the budget and report any significant variance to the Department Executive Committee.
 - e) The purpose of the Education Committee is to promote quality education for children and adults through classroom activities, literacy programs, scholarship promotion, and support of education beyond high school, with a special emphasis on children of veterans and service members.

- f) The ALA Junior Activities program inspires active participation in American Legion Auxiliary members age 17 and under so they will become engaging, productive members who will want to continue their ALA membership into adulthood.
- g) The Poppy Committee educates our membership and the public concerning the poppy's significance and the financial benefit for veterans, service members, and their families through its distribution

Section 2. One-member committees shall be:

- a. **Auxiliary Emergency Fund** The purpose of the Auxiliary Emergency Fund Committee is to raise funds for the Auxiliary Emergency Fund, to promote knowledge about the program, and to send information to members about the application process. The Auxiliary Emergency Fund was created to help members who have suffered a significant financial setback as the result of an act of nature or other personal crisis when no other source of aid is readily available.
- b. **Community Service** The purpose of the Community Service committee is to promote and support community service projects of The American Legion post. The unit may collaborate with other organizations on practical, worthwhile projects for community improvement as well.
- c. **Constitution and Bylaws** The purpose of the Constitution & Bylaws Committee is to inform members about having proper governing documents at all levels.
- d. **Legislative** The Legislative program provides information and help to American Legion Auxiliary members to advocate for the legislative agenda of The American Legion.
- e. **Membership** The purpose of the Membership Committee is to promote the benefits of membership and to promote retaining and recruiting a diverse, active membership to carry out the American Legion Auxiliary mission and programs.
- f. **National Security** The purpose of the National Security Committee is to promote a strong national defense, strengthen our military families, and prepare our population for response to natural and other disasters.
- g. **Public Relations** The Public Relations Committee works collaboratively with all levels of the organization to create, implement, and support communication that advances the mission of the American Legion Auxiliary and positively projects our image and programs to the public.
- h. **Past Presidents Parley** shall consist of past Department Presidents in good standing, with the purpose of mentoring others and furthering the aims and purposes of the American Legion Auxiliary. They also raise monies for the purpose of awarding an annual Scholarship from applications passed down from the Education Committee. The immediate Past Department President shall be the Chairperson of this committee.

Section 3. Duties of committees not specifically outlined in these Standing Rules shall be governed

by the Unit Handbook of the American Legion Auxiliary, Department Policy and Procedures, Guide for Volunteers and by assignments given to them by the Department President.

Section 4. FINANCE COMMITTEE

- a. The Department President, Department Vice President, the Department Secretary and the Department Treasurer shall be ex-officio members of the Finance Committee.
- b. The Department Finance Committee shall meet before the Midwinter Conference to prepare a report on the current financial status of the Department.
- c. The Department Finance Committee shall meet at least thirty (30) days prior the Department Convention to review the accounts of the Department Treasurer and to prepare the annual budget. The Finance Committee shall include in the budget all National assessments. A copy of the budget shall be submitted to the Department Secretary three weeks prior to the start of Department Convention.
- d. The Finance Committee shall supervise the expenditure of funds under the budget.
- e. The Department Finance Committee shall oversee the general financial policy of the Department, subject to the ratification of the Department Executive Committee.
- f. At least one Past Department President shall be appointed to the Finance Committee every three years.

Section 5. CHILDREN AND YOUTH COMMITTEE

- a. The Children and Youth Committee may, at their discretion, distribute up to \$1,000.00 from the Children and Youth fund to the children of veterans or to other organizations, as long as the funds are for children and youth of veterans. Two of the three members of the Children and Youth Committee must submit their approval of the expenditure in writing before the Department Treasurer can submit payment. If the request is over \$1,000.00, the Children and Youth Committee must receive the approval of the Department Executive Committee.
- b. If funds are available, Traditional and/or Non-Traditional General Studies Scholarships, in the amount of \$1,000 per scholarship, may be provided by monies allocated to the Children and Youth Committee.

Section 6. AUDIT COMMITTEE

In keeping with the vision, expectations, and requirements of the IRS Form 990, the Audit Committee reviews, evaluates, and checks the organization's policies, standards, compliance, and potential for risk.

An Auditing Committee of two (2) qualified impartial members shall audit the Treasurer's books at the end of each fiscal year.

Section 7. VETERANS AFFAIRS AND REHABILITATION:

- a. The current National American Legion Auxiliary "Guide for Volunteers," shall be standing rules for the VA&R Committee.
- b. Duties of the Department President and Department Secretary pertaining to the VA&R Committee as outlined in the current "Guide for Volunteers" are also adopted by the Department of Idaho.

CHRISTMAS GIFT TABLE:

- a. Allow one gift for the veteran and gifts for immediate family, i.e. wife, sons, daughters and grandchildren. If no family, a gift may be selected for a close friend. The Chairpersons will be allowed to decide how many gifts and to whom, upon availability of the gifts on a year-to-year basis.
- b. Limit amount of merchandise bought for the Gift Table if excessive amount left over from the preceding year.
- c. An inventory shall be taken of the items left over after Christmas Gift Table. A list of items needed for next year shall be prepared. This information is to be given to buyers and Units in January.
- d. Any perishable items left over are to be used for Veterans Homes.
- e. Gifts for Christmas Gift Table are not to be sold.
- f. Gifts that are left over for two years are to be used for card parties at the Veteran's Hospital and Veterans' Home.

Section 8. EDUCATION COMMITTEE

- a. After their scholarship selection is made, the Education Committee Chairperson shall forward remaining applications for Nurses Scholarships to the Chairperson of the Past Presidents Parley. The Past Presidents Parley Committee shall select their own scholarship recipient.
- b. The Department President shall appoint a Chairperson of the Education Committee on a rotating basis by Area, if possible. The Chairperson shall appoint two members of the committee within the Chairperson's geographic location subject to ratification of the Department Executive Committee at the Post Convention meeting. Should a vacancy occur in the committee, the Education chair shall appoint a third member to the committee.

Section 9. RETENTION OF RECORDS

- a. Membership records shall be retained permanently.
- b. A copy of all budget and expenditure papers from committees submitted to the Department shall be retained for seven (7) years in the Department Treasurer files for reference. These are working papers only and need not be retained in storage boxes.
- c. Records stored shall be clearly marked on the storage box for the year stored. Any person or persons reviewing these records shall replace them in their proper order.
- d. Bank statements, ledger postings, cash receipts, record of payment (checks and invoices) shall be retained for seven (7) years after the fiscal year ends and then destroyed.
- e. Personnel records shall be retained seven (7) years from the date of separation then destroyed.

Section 10. THE IDAHO SYRINGA GIRLS STATE CORPORATION

The purpose of the American Legion Auxiliary Girls State program is to provide an outstanding, unique, and coveted educational opportunity for the young women of our nation that instills the basic ideals and principles of our American government and good citizenship. See Standing Rules, Subsidiary Organizations item 3.

Section 11. ANNUAL REPORTS AND REPORT FORMS: All Officers and Chairpersons

- a. All report forms, with the exception of the Poppy Proceeds Report, shall be due by June 1, or on the date determined by the National Chairperson.
- b. Copies of all annual reports are to be sent by Officers and Chairpersons to the Department President, Department Secretary and Department Historian.

SUBSIDIARY ORGANIZATIONS

1. As required by United States trademark laws and the American Legion Auxiliary National Bylaws, all Department subsidiary organizations of the American Legion Auxiliary shall be subject to regulation by action of the Department governing bodies of the American Legion Auxiliary.

Subsidiary organizations are subordinate to the Department and shall comply with the following legally binding rules that ensure the constant and continuous control of the trademarks and trade names of the American Legion Auxiliary.

The five (5) Rules of a Subsidiary Organization to a Department are:

- a. All officers, directors, trustees, etc., must be confirmed by the American Legion Auxiliary Department Executive Committee.
 - b. All vacancies in the subsidiary corporation must be filled in the same manner as provided in the organization's bylaws and confirmed by the Department Executive Committee.
 - c. The subsidiary corporation of the Department must report to the Department Executive Committee, and reports must include financial reports submitted no less frequently than monthly.
 - d. The American Legion Auxiliary Department Treasurer must be a signatory on all accounts of the subsidiary.
 - e. The American Legion Auxiliary Department Executive Committee shall approve the establishment of all Department subsidiary organizations and must approve the subsidiary's articles of incorporation, constitution and bylaws, and must approve all amendments thereto.
2. Subsidiary organizations of the American Legion Auxiliary Departments may not have dues that are higher than the Department dues of the American Legion Auxiliary. Subsidiary organizations shall provide all required reports and financial statements as directed by the American Legion Auxiliary.
3. The Idaho ALA Syringa Girls State program is a subsidiary organization of the Department of Idaho and is wholly accountable to the Department. It is known as Idaho Syringa Girls State, Inc.

All members of the Department of Idaho American Legion Auxiliary are members of the Idaho ALA Syringa Girls State Corporation. Nine (9) representatives and alternates shall be selected from Auxiliary members in each of the nine (9) districts to serve as members of the Girls State Board for a term of three (3) years. The process for electing Board officers and choosing the Director and Session Coordinator are established by the Idaho ALA Syringa Girls State Corporation Constitution and By-laws.

DUES

1. Units shall submit both Department and National dues to the Department. The Department per capita dues shall be twenty-one dollars (\$21.00) per annum for Senior members, and two dollars and fifty cents (\$2.50) per annum for Junior members. In addition to the above amounts, the Unit shall also remit to the Department Treasurer the current amount of National Dues for a total of thirty-nine dollars (\$39.00) for senior members and four dollars and fifty cents (\$4.50) for junior members
2. Annual dues shall be payable each year for the next calendar year. Any member failing to pay such annual dues by January 31 shall be classed as delinquent and shall be suspended from all membership privileges.
3. A member delinquent to December 31 of the year of delinquency shall be classified as expired. Such expired member may rejoin as an active member under the member's original join date

without interruption of continuous years of membership, and membership privileges reinstated, by payment of all past dues.

4. A member deemed expired may rejoin, with a new join date, at any time in the future by reestablishing eligibility and making application as a new member. Member applications and member reinstatements may require Unit action if a Unit's governing documents so state.
5. Online payment and PUFL (*Paid Up For Life*): checks are to be sent to the Units by the Department Treasurer on a quarterly basis.

MAILINGS

1. In order to disperse information in a timely manner, the following items will be included in each mailing and will be posted on the Department website:
 - a. September: All Programs information
Scholarships
Report forms from all programs
Decade Club
Membership Forms
Bond & Postage invoice
Order form for the Book of Proceedings
 - b. March: End of year report forms
New Unit and District Officer Forms
Convention information
Proposed resolutions
2. All Unit Presidents, District Presidents, Department Officers and Chairpersons will be added to an email distribution list to receive communications free of charge. Members may opt in to the email distribution list by sending their request to the Department Secretary.
3. Department Officers and Chairpersons will receive a mailing free of charge. Units, Districts, and individual members may choose to receive the communications by postal mail by sending \$20 per year to the Department Secretary with their request.
4. Postage fees shall be determined by current postage rates. Units will be notified of the annual rate in September, which must be paid annually by all Units and Districts by December 31.

MISCELLANEOUS

1. The Department will not fund any project undertaken by a Committee Chairperson.
2. Only raffle tickets for a Department project will be sold at Department Conventions.
3. Bond must be paid by all Units, \$18, once every three years and Districts, \$35 annually. If the

obligations are not paid by December 1, an invoice will be sent for immediate payment.

4. All credit card transaction fees will be paid by the Unit.
5. A registration fee of fifteen (\$15.00) will be assessed for Midwinter Conference attendee.
6. The number of members for the retention of a Unit Charter will be as established by the National Organization.

AMMENDMENTS

These Standing Rules may be amended as the needs of the organization change: by a majority vote with prior notice to the members; by a 2/3 majority vote without prior notice.

Signed July 13, 2024


Department President


Department Secretary


Department Constitution & Bylaws Chairperson