



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

(AMENDED JULY 1996)
(AMENDED JULY 1997)
(AMENDED JULY 1998)
(AMENDED JULY 1999)
(AMENDED JULY 2002)
(AMENDED JULY 2003)
(AMENDED JULY 2004)
AMENDED JULY 2008)
(AMENDED JULY 2012)
(AMENDED JULY 2013)
(AMENDED JULY 2014)
(AMENDED JULY 2016)
(AMENDED JULY 2017)

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 during the Great Wars; to inculcate a sense of individual obligations 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. 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 2. There shall be two classes of membership, Senior and Junior.
- a. Senior membership shall be composed of members over the age of eighteen; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen years and married shall be classed 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 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 Committeewoman shall be elected for a term of two (2) years. Starting with the election at Department Convention in 2016.
- Section 5. The incoming Department President shall automatically become the Alternate National Executive Committeewoman.
- 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 President shall be a Department Elective Officer. After ratification of election at the Department Convention, the District Presidents shall be installed at the Department Convention with other Department Officers.

ARTICLE V

Department Executive Committee

- Section 1. The Department Executive Committee shall be composed of the Department President; the Department Vice President; the nine District Presidents; the Department Secretary and Treasurer, who shall serve without vote; the Department Historian; the National Executive Committee-woman; the two immediate Past Department Presidents and the Chairman of the Department Finance Committee.
- Section 2. In the absence of the National Executive Committeewoman, the alternate National Executive Committeewoman shall assume the duties of the office.
- 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 1, 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 Chairman, 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 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 on additional delegate for each additional twenty-five members or major fraction thereof, whose current dues have been received by the Department Treasurer fifteen days prior to the meeting of said convention 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 delegates, elective Department Officers, District Presidents, Past Department Secretaries and Treasurers who shall have served continuously for a period of not less than ten years and Past Department Presidents who are not acting as Unit delegates and who are in good standing in their respective Units.

Section 5. A quorum shall exist at a Department Convention when fifteen percent of the Units are represented.

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 February 15th and to the Units and members of the Department Executive Committee by mailing same to them at least sixty days (60) prior to the convening of the Department Convention 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.

**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, the boundaries of which 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 Committeewoman. When there is but one candidate for an office, the secret ballot may be dispensed with and the nominee elected by voice vote. A majority of votes cast shall be necessary to elect. In the event of a tie vote the nominees shall decide by lot.
- 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 Committeewomen. 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, but 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 assembled and meetings of the Department Executive Committee; to appoint a Chaplain, Sgt-at-Arms and a Parliamentarian; to appoint chairmen 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, with the exception of the Education Committee, the Department President shall appoint a third member to the committee.
- c. The Department President shall be ex-officio member of all committees.
- d. The Department President shall be empowered to appoint delegates to the Washington DC Conference other than the National Security Chairman. Appointees shall bear their own expenses.
- e. The Department President shall have the power to appoint members to special committees when found necessary to the welfare of the Department.
- f. 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 of a standing committee.

Section 2. Department Vice President:

- a. The Department Vice President shall be the Department Membership Chairman. She 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 her absence or inability to act.
- 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 district of the new President 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 and Treasurer:

- 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 meetings.
- b. The Department Secretary shall have a record of the proceedings of the Department Convention available by November 15, following the adjournment of the annual Department Convention. The current Department Officers and Second Vice Presidents (District) shall receive a free copy. Additional copies, either paper or disk will be available upon request for \$3.00.
- c. The proceedings of the Department Executive Committee for the preceding year shall be recorded in conjunction with the proceedings of the Department Convention.
- d. The Department Secretary shall be the custodian of all Department records. She 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.
- e. The Department Treasurer shall be the custodian of all Department funds. She shall receive and transmit all dues. She shall make a report of the financial condition of the organization at each convention and whenever called upon by the Department Executive Committee. She shall give bond for the sum the Department may direct. The premium of the aforesaid bond to be paid by the Department. Immediately before the Department Convention, her accounts shall be reviewed by the Finance Committee.

Section 4. Chaplain:

- a. 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 5. Historian:

- a. 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.

Section 6. Sergeant-at-Arms:

- a. It shall be the duty of the Department Sergeant-at-Arms to maintain order at all Department meetings. She 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 to her.

Section 7.

- a. It shall be the duty of all Department Officers and Chairmen of committees to forward, within thirty (30) days following the election or official announcement of the appointment of their successors to office, all records and files pertaining to the office or committee to the home address of said successors.

ARTICLE IV

Department Executive Committee

Section 1. 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. The Executive Committee shall have the power to approve any vote taken by mail and at any meeting of the committee, to take necessary action on any business pertaining to the welfare of the Department.

Section 2. 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 days (30) prior thereto shall be given to all Units thereof and the reason for calling said convention. Place of meeting on such occasion shall be designated by the Department Executive Committee.

Section 3. The Department Executive Committee shall have the authority to appoint subcommittees to act on matters delegated to it.

Section 4. The Department Executive Committee shall meet within twenty-four (24) hours after the adjournment of each Department Convention. It shall also meet immediately preceding the holding of the succeeding Department Convention and at the call of the Department President. The Department President with approval of the Department Executive Committee, shall designate the place for holding of the Department Executive Committee meeting.

Section 5. The Department Executive Committee may, by majority vote of the committee, remove the Department Secretary and Treasurer from office for inefficiency in office, conduct unbecoming an officer of the American Legion Auxiliary and for not working in the best interest of the Department.

Section 6. The Department President shall submit a list of committee appointments to the Department Secretary, who shall have copies for all members of the Executive Committee at Department Convention Post-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 missing names and/or list in ballot form by e-mail or first class mail to all voting members of the Executive Committee. Each member of the Executive Committee shall approve or disapprove all or any part of the appointments and return their vote to the Department Secretary by e-mail or first class mail within thirty days. All ballots not received by the end of the thirty-day period shall be considered affirmative votes.

Section 7. All votes taken by mail during the year by the 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 or limit the power and authority of an elective officer.

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

Section 10. The Department Executive Committee shall, at the meeting held within 24 hours of the adjournment of the Department Convention, ratify the Idaho Syringa Girls State, Incorporated Board of Directors and Girls State Chairman.

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.

ARTICLE V

Department Committees

Section 1. Three Member Committee:

- a. The committees on Americanism, Children and Youth, Veterans Affairs and Rehabilitation, Finance, Junior Activities and Poppy shall function as permanent committees, each 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 the three year term.

- b. The committee members shall be selected in such manner to best represent the several geographical sections 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.

Section 2. One-member committees shall be: Auxiliary Emergency Fund, Cavalcade of Memories, Community Service, Constitution and Bylaws, Leadership, Legislative, Music, Membership, National Security, Past Presidents Parley, Public Relations and Unit Development & Revitalization.

Section 3. Finance Committee:

- a. The Department President, Department Vice President and the Department Secretary and the Treasurer shall be ex-officio members of the Finance Committee.
- b. The Department Finance Committee shall meet immediately preceding the Department Convention. It shall be charged with preparation of the annual budget and shall supervise the expenditure of funds under the budget.
- c. The Department Finance Committee shall oversee the general financial policy of the Department, subject to the ratification of the Department Executive Committee.

The Department Finance Committee shall determine expenses allowable. Immediately before the Department Convention, the Finance Committee shall review the accounts of the Department Treasurer.

- d. At least one Past Department President shall be appointed to the Finance Committee every three years. The Past Department Presidents shall be appointed from three areas in rotation.

Section 4. Girls State Committee shall consist of nine board members representing each of the Districts in the Department; a director, who may or may not be member of the board; the Department President and the Girls State Secretary/Treasurer. The Girls State Chairman, Vice Chairman and Recording Secretary are to be elected by members of the Girls State Corporation at the Corporation meeting of the annual Department Convention and approved by the Department Executive Committee at the post-convention meeting.

Section 5. The Children and Youth Committee may, at their discretion up to \$1,000.00 distribute funds from the Children and Youth fund to other organizations as long as the funds are for children and youth of veterans. If the request is over \$1,000.00, then the Children and Youth Committee must receive the approval of the Department Executive Committee. Two of the three members of the Children and Youth Committee must submit their approval in writing for the expenditure before the Department Treasurer can submit payment.

Section 6. Duties of committees not specifically outlined in these Bylaws 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 7. The Department President shall appoint a chairman of the Education Committee on a rotating basis by Area, if possible. The Chairman shall appoint two members of the committee within the Chairman's geographic location subject to the ratification of the Department Executive Committee. Should a vacancy occur in the committee, the Education chair shall appoint a third member to the committee.

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, and said charter shall be closed thirty (30) days after application has been signed by the Commander of said American Legion Post.

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 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. No 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 be eligible to become or remain a member of the American Legion Auxiliary.

Section 5. 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 6. No person may, at any time, be a member of more than one Unit.

Section 7. Any member in good standing in a Unit, shall be entitled to transfer to another Unit.

Section 8. Any member in good standing wishing to transfer to another Unit must present to the new Unit her current membership card. Upon acceptance of the transfer 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.

- Section 9. A Unit member may withdraw providing her current dues are fully paid. Upon withdrawal, however, she shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which said dues are paid. In the event a member wishes to remove her membership from one Unit to another during the current year, it shall be done by transfer not by withdrawal.
- Section 10. The Secretary and or Treasurer of the Unit shall be bonded, such position bond being available through Department Headquarters.
- Section 11. Unit Officers and board members shall be elected before the last regular meeting of the Unit prior to the Department Convention and may be installed at the last meeting of the Unit prior to the convention or at the first meeting following convention.

ARTICLE VII

Finance

- Section 1. The revenue of the Department shall be derived from annual dues collected by the Units. The Unit Secretary or Treasurer 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 Secretary or Treasurer 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. Annual dues shall be payable each year for the ensuing 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, provided, however, such suspended member shall be notified in writing by the secretary of the Unit of such suspension prior thereto. Payment of delinquent dues after suspension shall reinstate such member to active membership, but shall not constitute continuous membership. Any member delinquent to December 31, of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without the vote of the Unit, where the Constitution of the Unit requires a vote on application for membership and payment of all past dues, or by re-establishing eligibility and making application as a new member.
- Section 3. Each Unit shall be required to make a membership report to Department Headquarters after each Unit meeting and remit with said report the Department and National dues collected.
- Section 4. All remittances shall be sent directly to the Department Treasurer to be expended in accordance with the budget adopted by the Department Convention.

- Section 5. Ten percent (10%) of the total net proceeds of poppy donations in each Unit shall be forwarded to the Department Treasurer, who will deposit the sum to the Nurses Scholarship fund, to be used for 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. Sixty percent (60%) of the remaining donations shall be retained by the Unit for its program of Children and Youth and Veterans Affairs and Rehabilitation. The remaining forty percent (40%) shall be forwarded to the Department Treasurer and shall be apportioned between the Department of Children and Youth and Veterans Affairs and Rehabilitation funds as deemed necessary by the Department President and Department Treasurer in conjunction with the chairmen of the respective committees and with the approval of the Department Executive Committee. Traditional and Non-Traditional General Studies Scholarships, in the amount of \$1,000, per scholarship shall be provided by monies allocated to the Children and Youth Committee when such funds are not spent on a Children and Youth project. The scholarship shall be awarded by the Education Committee the following year.
- Section 6. All persons handling funds of the Department shall be bonded by the Department.
- Section 7. With the exception of the Department Secretary and Treasurer, there shall be no salaried officers. Necessary expenses incurred by the Department Secretary and Treasurer and the National Executive Committeewoman and specified chairmen of standing committees in the exercise of their services and duties may be paid from the Department Treasury, not to exceed the budgeted amount upon the presentation of vouchers when recommended by the Department Finance Committee and authorized by the Department Executive Committee.
- Section 8. 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 9. The Department Executive Committee, by two-thirds vote, may levy an emergency assessment.
- Section 10. Monies sent the four (4) Field Service/VAVS/VAVS Deputies for the veterans home and veterans hospital, is to be accounted for in its entirety. Four (4) separate checking accounts (one for each veterans home and the hospital) will be maintained by the four (4) Field Service VAVS/VAVS Deputies. The Field Service VAVS/VAVS Deputy for each home and hospital will have in their possession a supply of checks in order to purchase supplies as needed. Copies of receipts of all monies spent are to be forwarded to Department quarterly. Copies of bank statements are to be sent to the Department. VAVS Deputy or other appointed member will be an additional signee on the account. The monthly budgeted amount for each account is to be determined annually at the Department Convention.

ARTICLE VIII

Delegates to National Convention

- Section 1. The National Executive Committeewoman 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 a delegation chairman. The delegation chairman 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 IX

Suspension Cancellation and Revocation of Charters

- Section 1. The Department Executive Committee may suspend, cancel, or revoke Unit charters for good cause to its appearing.
- 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 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, empowered and directed, 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.

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 shall be subject to regulation by action of the Department Convention or the Department Executive Committee of the Department of Idaho.
- Section 3. All subsidiary organizations of the American Legion Auxiliary shall have Department dues no higher than the Department dues of the American Legion Auxiliary and said subsidiary organizations shall be required to file a complete financial statement of receipts and expenditures with the Department President and the Department Secretary of the Department of Idaho before each Department Convention.
- 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 Ruling

- 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 in which they are not inconsistent with applicable state statutes, the Department Constitution & Bylaws, Standing Rules and Special Rules.

ARTICLE XII

Amendments

- Section 1. These 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 February 15th, and to the Units and members of the Department Executive Committee by mailing same to them at least sixty days (60) prior to the convening of the Department Convention 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, may be adopted by the unanimous vote of the convention body.

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.

STANDING RULES

DEPARTMENT ORGANIZATION

1. The Department Headquarters shall be located in the Boise area.
2. Contact between The American Legion and the American Legion Auxiliary shall be maintained in all work, which is similar and all relations with The American Legion shall be conducted to ensure 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. Said Rules are adopted at the beginning of each Department Convention.
2. The Department President shall appoint the Department Convention Chairman, 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 President shall appoint committees such as Distinguished Guest Chairman, Rules Chairman, Credential Chairman and Resolutions Chairman. The Department Convention Chairman shall appoint her convention personnel, including a secretary and members of all committees necessary for the function of the Department Convention on all the local level; such appointments to be approved by the Department President.
3. Each Unit shall remit to the Department Treasurer a registration fee of ten dollars (\$10.00) per delegate, based upon its voting strength. Units must submit delegate fees to the Department Treasurer no later than fifteen days (15) prior to the Department Convention. Delegates-at-large must also submit their delegate fees to the Department Treasurer no later than fifteen (15) 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.
4. Delegates-at-large will consist of Department elected Officers, District Presidents, Past Department Presidents and Past Department Secretaries and Treasurers with 10 years or more service, unless they are acting as a Unit delegate.
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 her 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.

DEPARTMENT LEADERSHIP CONFERENCE

1. Expenses of the incoming Department President, incoming Membership Chairman, and Department Secretary in attendance at such 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. All resolutions pertaining to conduct or policy of the Department must be submitted to the Resolutions Committee prior to presentation at the Department 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 be endorsed to the Department by her 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 her Unit and/or District.

DUES

1. The Department per capita dues shall be twenty-one dollars (\$33.00) per annum for Senior members, and two dollars (\$4.50) per annum for Junior members. In addition to the above amounts, the Unit Secretary and/or Treasurer shall also remit to the Department Treasurer the current amount of National Dues.
2. Once a unit's portion of the dues paid online reaches \$5.00, then checks are to be sent to the Units on a monthly basis. When National sends out the VIM/PUFL dues, the money is be sent to the respective Units if the amount is over \$5.00. Anything under \$5.00 will be held until monies dues to that Unit reaches \$5.00.

MAILINGS

- 1) In order to disperse information in a timely manner, the following items will be included in each mailing:
 - September: All Programs information
Scholarships
Report forms from all programs
Decade Club
Membership Forms
Bond & Postage invoice
 - December: Any late information
Mid-Winter Conference
Membership Report
 - March: End of year report forms
Convention information
Any proposed resolutions
- 2) All Unit Presidents and Secretaries, District Presidents and Secretaries, and Department Officers and Chairmen 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. Units, Districts, and members may choose to receive their communications by postal mail by sending \$15/year to the Department Secretary with their request.
- 3) Bond must be paid by all Units, \$18, once every three years and Districts annually, \$43.22. If the obligations are not paid by December 31, an invoice will be remitted for immediate payment.

MISCELLANEOUS

1. The Department will not fund any project undertaken by a Committee Chairman.
2. Only raffle tickets for a Department project will be sold at Department Conventions.
3. Postage must be paid annually by all Units and Districts by December 31. Bond must be paid by all Units every three years and Districts annually. If the obligations are not paid by December 31, an invoice will be remitted for immediate payment.
4. All credit card transaction fees will be paid the Unit.

DEPARTMENT OF IDAHO POLICIES AND PROCEDURES

In addition to the duties of the Department Officers and Chairmen outlined in the Department Constitution, Department Bylaws and Department Standing Rules, 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 Chairman be advised of all recommendations and resolutions adopted at each National Convention immediately upon receipt of such information.
- d. Inform all Department Chairmen of their responsibilities and deadlines for newspaper articles, mailings, and report forms.

DEPARTMENT SECRETARY - TREASURER:

- 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. She 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 must 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 of all the Department Awards by Standing Committees and shall be kept on file, copies of said reports of awards.
- f. The Department President shall appoint a committee to review and approve the convention minutes.

- g. Names and addresses of all elective Department Officers must be submitted to National Headquarters no later than thirty (30) days after Department Convention. This includes the Department Secretary, whether elected or appointed and whether new elected or reappointed.
- h. Names of the Department Chairman, with correct mailing addresses, must be sent to National Headquarters no later than September 1, so they will receive current material from National Headquarters.
- i. The Department Treasurer shall send monthly finance reports to the five (5) members of the Finance Committee. These reports shall include legible copies of the finance reports, receipts, ledger sheets and bankbooks. She shall also send copies of the bills as requested by the Finance Chairman that may be needed from time to time.
- j. The Department Treasurer shall be responsible for a petty cash fund of \$50.00; retaining and attaching receipts for replacement of the petty cash fund.
- k. The Department Treasurer will not refund over-payments to Units under \$5.00. Over-payments not refunded will be donated to the general fund.
- l. Funds do not need to be transferred to another bank with the change of the Secretary/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 in which she served. The Department History shall be completed in time to be entered in 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 chairmen in a manner suitable for binding, such compilation to be completed no later than 45 days following the close of National Convention.
- 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 her expenses to the Finance Committee and/or the Department Treasurer at least two days prior to the Department Convention.

REPORTS AND REPORT FORMS

All Officers and Chairmen:

- a. All report forms, with the exception of the Poppy Report, shall be due May 1.
- b. Copies of all annual reports are to be sent to the Department President, the Department Secretary and the Department Historian.

DEPARTMENT STANDING COMMITTEES

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

FINANCE COMMITTEE:

- a. The Department Finance Committee shall meet one day prior to the Department Convention to set up the proposed budget.
- b. The Finance Committee shall determine expenses allowable for the National Executive Committeewoman to attend the Washington DC Conference; the retiring Department President and the Department President-elect to attend the National Convention and the Department Secretary to Department Leadership Conference. The Committee shall determine expenses allowable for the Department President and Department Secretary to the Department Convention.
- c. Travel expenses and per diem expense shall be allowed, with the exception of the National Executive Committeewoman who shall receive her per diem expense only.
- d. The Finance Committee shall include in the budget all National assessments.
- e. The outgoing Finance Chairmen and the outgoing Department President will, between the end of the Department Convention and the beginning of the new fiscal year, provide a letter to all compensated Officers and employees notifying them of their hourly wage that was used in determining the budget for the next fiscal year and approved at Department Convention.

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 for a close friend. The chairmen 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 of the items left over after Christmas Gift Table, shall be taken. 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 Cheer Basket or Veterans Homes.
- e. Gifts for Christmas Gift Table are not to be sold.
- f. Gifts that are left over two years are to be used for card parties at the Veteran's Hospital and Veterans' Home.

EDUCATION COMMITTEE:

- a. The Education Committee Chairman shall forward remaining applications for Nurses Scholarships, after their selection is made, to the Chairman of the Past Presidents Parley. The Past Presidents Parley Committee shall select their own recipient.

RETENTION OF RECORDS:

- a. A copy of all budget and expenditure papers from committees submitted to the Department shall be retained for three (3) years in the Department Treasurer files for reference. These are working papers only and need not be retained in storage boxes.
- b. 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.
- c. 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.
- d. Personnel records shall be retained three (3) years from the date of separation then destroyed.

Department President

Department Secretary

Department Constitution & Bylaws Chairman

DATE: _____