

**American Legion Auxiliary  
Department of California  
Standing Rules**

**PREFACE**

These American Legion Auxiliary Standing Rules are duly adopted by the appropriate department governing body of the American Legion Auxiliary to provide guidance to the American Legion Auxiliary, its Districts, Units, subsidiaries, and affiliated entities. Standing Rules have the same importance as the Department Constitution & Bylaws and may be amended as frequently as needed.

Certain Standing Rules can only be amended or rescinded by action of the Department Convention delegates, as specified therein. Standing Rules that specifically state "As provided in the Department Bylaws" can only be amended by action of the Department Convention delegates.

Except when otherwise specified in the Bylaws or these Standing Rules, a standing rule may be amended or rescinded by a two-thirds vote of the Department Executive Committee, or, if notice has been given, by a majority vote. In addition to these Standing Rules, supplementary department policies or rules may be adopted as they are needed from time to time by the Department Executive Committee or Department Convention.

**AMERICAN LEGION AUXILIARY CODE OF ETHICS**

American Legion Auxiliary members are expected to comply with the organization's governing documents and comport themselves according to the following Code of Ethics adopted by the Department Executive Committee.

This Code of Ethics serves as a guide for conduct acceptable within the American Legion Auxiliary.

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.

The American Legion Auxiliary, as witnessed through the conduct of its departmental governing body, officers, staff, and volunteers, must earn the public's trust every day and in every possible way. Department leaders are expected to abide by all laws and demonstrate their ongoing commitment to the core values of integrity, honesty, fairness, openness, responsibility and respect.

The ALA Code of Ethics applies to the ALA as an entity and serves as a guide for conduct acceptable within the American Legion Auxiliary. As stated elsewhere in the ALA departmental governing documents, units and departments have responsibility for member discipline.

## **CODE OF ETHICS**

The American Legion Auxiliary strongly recommends that all chartered entities and affiliated organizations at all levels adopt a Code of Ethics and conduct themselves accordingly.

In keeping with the best practices of high performing nonprofit organizations, it is the expectation of the American Legion Auxiliary that its departmental business standards, operations, and conduct conform to the following Code of Ethics:

### **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.

Department officers, 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 credibility and reputation of the American Legion Auxiliary.

Department officers, staff, and volunteers shall work to positively influence their environment to build respect, credibility, and strategic importance of our organization to the public, our members, and the communities we serve.

### **Legal Compliance**

The American Legion Auxiliary is knowledgeable of and complies 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.

Department officers, staff and volunteers shall exercise due diligence in obtaining information on applicable laws and regulations for their jurisdiction.

Department officers, staff, and volunteers shall recognize that compliance with applicable laws is a paramount standard.

### **Governance**

The American Legion Auxiliary's departmental governing body is responsible for setting the strategic direction of the organization and oversight of the finances, operations, policies and programmatic performance.

The governing body of the American Legion Auxiliary shall:

- Ensure that the organization conducts all communication, business, and transactions with integrity and honesty;
- Ensure that policies of the organization are in writing, clearly articulated, and officially adopted;
- Ensure periodic review of the organization's structure, procedures and programs to determine what is working well and what practices the organization might want to change in order to be more efficient, effective or responsible.
- Ensure that the resources of the organization are responsibly and prudently managed;
- Ensure that the organization has the capacity to carry out its programs effectively.

### **Responsible Stewardship**

The officers, staff, and volunteers of the American Legion Auxiliary are responsible for managing and preserving the organization's assets. Officers, 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.

Officers, appropriate volunteer leaders and staff shall ensure that:

- Financial reports are created and maintained on a timely basis that accurately portrays its financial status and activities.
- Internal financial statements are provided accurately and timely.
- Annual financial reports are made available to the public.
- Employees, department leaders, and members are provided a confidential means to report suspected financial impropriety or misuse of its resource.
- Written financial policies governing management and investment of assets and reserve accounts, internal control procedures, and purchasing practices are developed and implemented.

### **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 organization will fully and honestly reflect the policies and the practices of the organization.

### **Conflict of Interest**

The organization has the right to expect that the decisions made by the department 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 by the Auxiliary, the organization shall develop, adopt and implement a conflict of interest policy.

Such policy shall 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.

To assure the donors and prospective donors can have full confidence in the organization and the causes they are asked to support; the Auxiliary will respect the following rights of donors:

- To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- To have access to the organization's most recent financial statement and others on request.
- To be assured their gifts will be used for the purposes for which they were given.
- To receive appropriate acknowledgment and recognition.
- To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- To expect that all relationships with individuals representing the American Legion Auxiliary will be professional in nature.
- To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

### **Inclusiveness and Diversity**

The organization recognizes the value of the diverse backgrounds and beliefs of its membership. The organization promotes an atmosphere of mutual respect for the worth and dignity of its members, those eligible to become members and those we serve.

### **Ethics Violations**

Any member may report a violation of ethical conduct or actions contrary to the governing doctrine without fear of retaliation.

The organization considers all inquiries and complaints about actions of members to be strictly confidential.

Ethics Query – An ethics query is a means for inquiring whether or not a practice warrants filing a complaint alleging a violation of the Code. Anyone may register a query of a possible violation of the Code by a member.

The organization shall adopt a procedure to administer the ethics query process.

Ethics Complaint – An ethics complaint provides a process for receiving, investigating and acting on a violation of the Code made against any member or staff and provides a process that is fair, responsible, confidential and consistent.

The organization shall adopt a procedure to administer the complaint process.

### **Whistleblower Protection**

A whistleblower is any member who, in good faith, promptly reports instances of any suspected violation of the Code. The American Legion Auxiliary shall establish and abide by policies to protect the Auxiliary.

Any member who acts maliciously by making known information **they** know or reasonably believes to be false is not a whistleblower and will not be protected under the whistleblower mechanism. **(2019)**

The organization expects improper activity to be reported accurately and will protect whistleblowers from retaliation.

The organization will investigate any allegation that a whistleblower has been retaliated against for disclosing information that the whistleblower believed to have been accurate. Any member who believes **they have** been retaliated against for whistle blowing is expected to report it immediately. If the complaint is validated, the organization can impose disciplinary sanctions against the retaliating member including termination of membership in the organization. **(2019)**

## **STANDING RULES**

### **DEPARTMENT ORGANIZATION:**

1. The American Legion National Organization designated the birth date of the American Legion Auxiliary as November 10, 1919. (2018)
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. (2018)
3. The National Judge Advocate of The American Legion shall be the Counsel General of the American Legion Auxiliary on all legal matters and matters pertaining to the Constitution and Bylaws and shall perform such other duties as are usually incident to the office.

All requests for information from and opinions by the Counsel General MUST come through the Department Secretary or Department President to the National Secretary, and thence referred to the Counsel General for his ruling and said ruling will be sent by the National Secretary to the Department Officer.

#### **DEPARTMENT CONVENTION:**

1. Each Unit shall be entitled to two (2) delegates and two (2) alternates for charter and one (1) additional delegate and one (1) alternate for each seventy-five (75) members or major fraction thereof, paid up in Department Headquarters forty-five (45) days prior to the opening of Department Convention. The vote of each Unit shall be equal to the total number of delegates to which the Unit is entitled, provided full registration fees have been paid for such delegates at the call of the Department Secretary prior to pre-convention caucus.
2. As provided in the Department Constitution, the Department President shall be the Chairman of the Department Convention. The Department Vice President shall be the Vice Chairman of the Department Convention; and in compliance with Constitutional requirements, may act in the place of the Department President, the Department Secretary shall be the Secretary of the Department Convention.
3. The Officers of the Department Convention who are present and the chairmen of the special and standing committees required to report at the Department Convention shall be permitted to sit with the Department Convention body. These Officers, Chairmen and Hospital Representatives authorized to attend Department Convention with expenses shall be allowed mileage to and from when in attendance.
4. Any delegate in **their** own right that chooses to represent **their** unit vote rather than **their** own right, forfeits **their** Department allowance. (2019)

## DEPARTMENT CONVENTION COMMITTEES:

There shall be the following named Department Convention committees. The general duties of the committees shall be to consider matters assigned to such committees, to consider matters specifically referred to them by the Department Convention, and to conduct other business as described in this section.

1. Committee on Credentials: The purpose of the Committee on Credentials is to receive and verify the credentials of the Units and to handle all matters pertaining to the contestation of delegates.
2. Committee on Elections: The purpose of the Election Committee is to review existing rules, make appropriate changes and present them to the delegation at the appropriate time.
  - a. Said committee shall consist of a chairman appointed by the Department President and one (1) member appointed from each District delegation by the District President.
  - b. It shall be the duty of said Election Committee to count the ballots without regard to District groupings and the Election Committee Chairman shall announce the number of votes cast for each candidate.
  - c. No one shall be permitted to enter or leave the meeting room during voting.
  - d. District roll call shall be taken to determine that a quorum is present at the time of roll call.
  - e. Each District President shall be responsible to the convention to report the number of Units in good standing partially or wholly represented by duly elected delegates or alternates present in the delegation at the time of roll call.
  - f. District roll call shall be taken for the purpose of obtaining voting strength of the convention. Each District President shall be responsible to the convention body that the number of votes cast shall not exceed the voting strength at the time of roll call.
  - g. When there is but one candidate for all offices and member of Finance Committee, the nominee shall be elected viva voce.
  - h. When there is more than one candidate for office or member of Finance Committee, election shall be by written ballot.
  - i. When there are three or more nominees for Office, Junior Member of Finance, or endorsement for National Office, unless one nominee receives a majority vote on the first ballot, the nominee receiving the lowest number of votes shall automatically be dropped before proceeding with the next ballot.
  - j. All members seeking National office shall be endorsed at a Department Convention by a majority vote not more than three (3) years prior to the date they are to be a candidate for office. Vote shall be by viva voce unless there is more than one candidate, then the vote shall be by ballot.
  - k. Procedure of election shall be written ballot cast by the delegated body. Each delegate shall cast **their** ballot in a sealed individual District ballot receptacle. The District President and the District member of the Election Committee shall be in charge of said receptacle. When

- balloting is completed in each District, the District President and District member of the Election Committee shall deliver the ballot receptacle to the Chairman of the Election Committee who shall remain on the platform in the convention hall until ballots from all Districts have been deposited. (2019)
- I. The vote of any delegate absent and not represented by an alternate shall be cast by the Chairman of the Delegation.
  - m. A majority of votes cast shall elect except in the case of National delegates and alternates, wherein a plurality vote shall elect.
3. Committee on Rules: The purpose of the Committee on Rules is to propose the rules under which the Department Convention shall operate. The Rules shall provide for the orderly organization and operation of the Department Convention. The Department Convention Standing Rules shall be adopted by a majority vote of the Department Convention delegates with continuing power of revision. (2018)
  4. Committee on Resolutions: The purpose of the Committee on Resolutions is to receive resolutions and refer them to the proper Pre-Convention Committees, and to formulate such Department Convention Resolutions not within the jurisdiction of the other established Pre-Convention Committees as listed in this section. This committee shall meet in advance of the other Pre-Convention Committee meetings to allow ample time to properly assign the resolutions to the other Pre-Convention Committees prior to their convening. This committee has no authority to take any action on a resolution other than to refer it to the appropriate Pre-Convention Committee, unless there is a written opinion from Counsel General that a resolution is illegal and can cause the organization, its officers, its Department Executive Committee members, appointees and other members to become liable. In such an event, the Committee on Resolutions shall report said action to the Department Convention delegates. (2018)
    - a. Resolutions pertaining to finance are to be in the Department Office not later than sixty (60) days prior to the opening of the following Department Convention. (2018)
    - b. All resolutions other than the above must be in the Department Office forty-five (45) days prior to the following Department Convention. Exceptions to this may be made to allow the presenting of emergency resolutions not later than noon of the second day of convention. (2018)
    - c. All resolutions will be numbered in Department, one (1) copy to be kept in the office files, the remaining resolutions to be sent to the Department Resolutions Chairman within five (5) days after being received by Department Office. **The Chairman** in turn will direct them to their respective committees. (Note: Emergency resolutions are those which arise during the convention or after the date established for admitting them. (2019)
    - d. At the Pre-Convention Meeting of the Committee on Resolutions, resolutions not within the jurisdiction of any other Pre-Convention Committee shall be presented for explanation by a member of the Committee on Resolutions. Upon conclusion of discussion of each

- resolution, the committee may vote either to a) recommend to the Department Convention delegates that a proposed resolution be adopted; b) recommend to the Department Convention delegates that a proposed resolution not be adopted; or c) make no recommendation to the Department Convention delegates regarding a proposed resolution. Each member of the Committee on Resolutions and one (1) representative from each district shall be entitled to vote on the recommendation to be made to the Department Convention delegates. The committee on Resolutions shall report its activity to the Department Convention delegates. (2018)
5. The Department President may appoint any other special Department Convention committee deemed appropriate. (2019)

### CONVENTION COMMISSION:

There shall be a Convention Commission of three (3) members appointed by the Department President. One of three (3) members first appointed, one (1) shall serve for one year, one (1) for two years, and one (1) for three years; thereafter, one (1) member shall be appointed each year for a three-year term. The Chairman shall be appointed by the Department President from the three (3) commission members.

1. Duties of Commission: It shall be the duty of the Convention Commission to ascertain if all facilities and accommodations are adequate for Auxiliary convention as presented by The American Legion Convention Commission and/or Corporation.
2. Authority to set Convention: In the event it is not feasible to hold a convention at the same date and city as that of The American Legion, the Convention Commission may determine by investigation where a convention could be held and report their findings to the Department Executive Committee and/or convention for consideration.
3. The Department President after conferring with the Department Vice President shall appoint the Department Convention Host City Chairman and Co-Chairman two (2) years in advance of the scheduled convention. **The Convention Chairman** is charged with preparation of the preliminary plans and local arrangements for the Department Convention. If the convention city is changed during this period the convention chairman may also be changed. (2019)
4. The Department President shall appoint such other Department Convention committees as appropriate, including Distinguished Guests, Credentials, Elections, Rules and Resolutions. The Department President may also appoint a Department Chairman of Pages. (2018)
5. The Department Convention Host City Chairman shall appoint **members of the** host committee, including a Secretary and members of all committees necessary for the functioning of the Department Convention on the local level, with all such appointments to be approved by the Department President. (2019)

### **PRECONVENTION COMMITTEE MEETINGS:**

Pre-Convention Committees shall exist for the Department Chaplain and Department Historian, and for the following department committees: Americanism, Auxiliary Emergency Fund, Children & Youth, Community Service, Constitution & Bylaws, Education, Finance, American Legion Auxiliary California Girls State, Junior Activities, Leadership, Legislative, Membership, Music, National Security, Past Presidents Parley, Poppy, Public Relations, and Veterans Affairs & Rehabilitation. (2018)

1. The Pre-Convention Committees for the Department Officers and Chairmen of Standing Committees shall be comprised of the officer or chairman plus one (1) member assigned by each district, appointed by the District Presidents from Unit delegates and approved at the District pre-convention caucus. Any vacancy occurring after the pre-convention caucus, shall be filled from the delegation appointment made by the District President, who shall notify the Department chairman in charge of the convention committee to which the delegate was appointed.
2. The purpose of these Pre-Convention Committee meetings is to consider and to make recommendations upon subject matter assigned, to receive reports from their corresponding committees, and to review accomplishments and best practices of the year, to recognize committee members, districts, units or others for exemplary achievements, to ensure a smooth transition to the incoming standing committee and to offer recommendations on each proposal assigned to it by the Resolutions Committee.
3. All Pre-Convention Committee meetings shall be open to all delegates. Only those delegates assigned to the Pre-Convention Committee shall have a voice and vote, unless authorized by a majority vote of the Pre-Convention Committee, in which case voice only may be granted. Each proposal shall be presented for explanation by a member of the Pre-Convention Committee. Upon conclusion of open discussion of each proposal, the committee may vote either to a) recommend to the Department Convention delegates that a proposed resolution be adopted; b) recommend to the Department Convention delegates that a proposed resolution not be adopted; or c) make no recommendation to the Department Convention delegates regarding a proposed resolution. Each member of the Pre-Convention Committee and one (1) representative assigned from each district shall be entitled to vote on the recommendation to be made to the Department Convention delegates.

### **CONSTITUTION AND BYLAWS:**

1. The purpose of the Pre-Convention Committee on Constitution & Bylaws is to receive and consider all proposed amendments to the governing documents that are to be presented to

the Department Convention delegates, and to verify that amendments adopted by the Department Convention are correctly incorporated into the governing documents. In addition, it is to clarify the meaning of the proposals for Department Convention delegates prior to Department Convention. Each proposed amendment shall be presented for explanation by the committee chairman of the Pre-Convention Committee on Constitution & Bylaws. Any delegate may ask a clarifying question. Such questions from non-members of the Pre-Convention Committee on Constitution & Bylaws shall be limited to clarifying the intent or purpose of a proposal. There shall be no debate on the merits of the proposal based on clarifying questions from non-members of the committee. (2018)

2. Upon conclusion of open discussion regarding clarification of each proposed amendment, the committee may discuss the merits of the proposal and may vote to either a) recommend to the Department Convention delegates that a proposed Amendment be adopted; b) recommend to the Department Convention delegates that a proposed Amendment not be adopted; or c) make no recommendation to the Department Convention delegates regarding a proposed amendment. (2018)

Each member of the Pre-Convention Committee on Constitution & Bylaws and one (1) representative assigned from each district shall be entitled to vote on the recommendation to be made to the Department Convention delegates. (2018)

#### **NATIONAL CONVENTION:**

1. Delegates and alternates to National Convention shall be elected at Department Convention as prescribed by the National organization. The Department President, Department President-elect, Department Secretary or the individual called by the Department President to serve as the Department Secretary to the National Convention, and National Chairmen shall be the first nominated delegates if they are attending the National Convention. Each District will present the names of the elected delegates and/or alternate for ratification. The privilege of further nominations, provided the number of delegates and/or alternates is under the designated number, shall be given by District numerical membership strength.
2. The Department President, Department President -elect and Convention Secretary shall be allowed plane fare (economy, if possible) and travel allowance as approved in the Department annual budget while serving as delegates and attending the National Convention. The Finance Committee shall properly budget for such expense.
3. The registration fee of all delegates from this Department to the National Convention shall be paid by the Department of California.

#### **DUTIES OF DEPARTMENT OFFICERS:**

In addition to the duties of the Department Officers as provided in the Department Constitution & Bylaws the following officers shall abide by the following rules and regulations:

**DEPARTMENT PRESIDENT:**

1. **The Department President** shall serve as chairman of the Department Executive Committee, and chairman of the Department Convention. **(2019)**
2. **The Department President** may appoint an Advisory Committee of three (3) members. **(2019)**
3. Should the Department President become incapacitated, the Department Secretary shall inform the Department Executive Committee.

**DEPARTMENT VICE PRESIDENT:**

1. The Department President may authorize the Department Vice President to attend meetings or official visits on **the Department President's** behalf. **(2019)**
2. **The Department Vice President** shall be chairman of a required standing committee, **appointed by the Department President.** **(2019)**
3. **The Department Vice President** shall with the President's approval appoint the host city convention chairman for **the** ensuing Department Convention. **(2019)**

**DEPARTMENT SECRETARY:**

1. **The Department Secretary** shall notify the Department Executive Committee if the President is incapacitated. **(2019)**
2. Routine records of Department Headquarters, other than those of a permanent nature, shall be held in Department Headquarters for a period of three (3) years before being destroyed. **(2018)**

**DEPARTMENT TREASURER:**

1. All books, canceled checks, and supporting papers of all Department chairmen disbursing funds shall be held in Department Headquarters for a period of seven (7) years before being destroyed. **(2018)**

**DEPARTMENT CHAPLAIN:**

1. **The Department Chaplain** shall be responsible for all invocations and benedictions at official meetings. (2019)
2. **The Department Chaplain** shall conduct the official Memorial Service for all deceased unit members and any deceased Past Department Presidents at the Department Convention. (2019)
3. **The Department Chaplain** shall be responsible for compiling and sending to the Districts and Units an Outline and Rules for District and Unit Prayer Books that are to be submitted in contest for Department and National Awards. Judging of the District and Unit Prayer Books shall be done at the Department Convention prior to the opening of the general session. (2019)

**DEPARTMENT HISTORIAN:**

1. **The Department Historian** shall prepare a written **historical** account of the organization's **current** administrative year; to Chair and oversee the Cavalcade of Memories program. (2019)
2. **The Department Historian** shall be responsible for compiling and sending to the Districts and Units an Outline and Rules for District and Unit Histories that are to be submitted in contest for Department and National Awards. Judging of the District and Unit History Books shall be done at the Department Convention prior to the opening of the general session. This to include Junior Histories. (2019)

**DEPARTMENT PARLIAMENTARIAN:**

**The Department Parliamentarian** shall give the presiding officer advice on parliamentary procedure. **The Parliamentarian** shall advise members when asked. **The Parliamentarian** shall keep the Department President informed of any **referred** major infractions. (2019)

**DEPARTMENT SERGEANT-AT-ARMS AND ASSISTANT SERGEANT-AT-ARMS:**

The Department Sergeant-at-Arms and Assistant Sergeant-at-Arms shall be responsible for the Colors and other Department material necessary to carry out the ritual for Department Executive Committee meetings and Department Convention. (2018)

**DEPARTMENT EXECUTIVE COMMITTEE:**

1. The fiduciary responsibility of the Department Executive Committee, as directors of the Department Organization, is as provided in the Department Bylaws.
2. The Department Executive Committee shall meet at the convention city within twenty-four (24) hours after the adjournment of annual convention. The called personnel to attend the Post

Executive Committee meeting shall be the Department President, Department Vice President, members of the Finance Committee, Department Parliamentarian, if appointed, Department Secretary and Department Treasurer if filled, and District Presidents, Department Chairmen of Standing Committees, Girls State Director and Junior Conference Director.

- a. The midyear meeting shall be a two-day session and shall be called prior to the month of March.
  - b. The preconvention meeting shall be called immediately preceding the Department Convention.
  - c. Special meetings may be called upon written request of not less than five (5) members of said committee.
3. The Executive Committee as provided for in Article V, Section 2, of the Department Constitution shall be called to the Executive Committee meeting and shall be allowed mileage to and from when in attendance. Other Department Officers and Chairmen as may be called to the Executive meeting by the President shall be allowed mileage to and from the meeting when in attendance. Members called to the Executive Meeting and convention meeting shall answer roll call and remain until the close of meetings or forfeit mileage, unless excused by the Department President.
4. Cancellation of charters may be presented at the Department Executive Committee meeting prior to the Department Convention or at the Mid-Year Department Executive Committee meeting. Cancellations approved by the Department Executive Committee shall become effective immediately following the National Executive Committee meeting.
5. The Department Executive Committee shall have general supervision over the affairs of the Department and all Department Committees in the interim of annual meetings, without power to modify action of previous Department Convention, and shall refer, with recommendations, all proposed measures to Department Convention for decision, which shall be final, except emergency measures which may require immediate action; such action however, to be reported to Department Convention for information.
6. When referendum vote is used the Department Executive Committee, consisting of the Department President, Department Vice President, Department Secretary and Department Treasurer (if not paid employees), Junior Past Department President, Past National Presidents of the Department of California, members of the Finance Committee, District Presidents, Department Chairmen of Standing Committees, Girls State Director, and Junior Conference Director, shall vote.
7. Fifteen (15) members shall constitute a quorum for the purpose of transacting business.

**FINANCE:**

The Executive Committee as provided for in Article V, Section 2, of the Department Constitution shall be called to the Executive Committee meeting and shall be allowed mileage to and from when in attendance. Other Department Officers and Department Chairmen as may be called to the Executive meeting by the Department President shall be allowed mileage to and from the meeting when in attendance.

1. Hospital Representatives shall be allowed mileage to and from attendance at Department Convention.
2. Members called to the Executive Committee and Convention shall answer roll call and remain until the close of meetings or forfeit mileage, unless excused by the Department President.
3. Mileage shall be twenty-five cents (\$.25) per mile in route to and from called meetings not to exceed \$500.00 provided expense sheets have been filed with the Department office.

#### **COMMITTEES:**

As provided in the Department Bylaws, there shall be the following Department Standing Committees – Americanism, Auxiliary Emergency Fund, Children & Youth, Community Service, Constitution & Bylaws, Convention Commission, Editor, Education, Girls State, Junior Activities, Leadership, Legislative, Membership, Music, National Security, Past Presidents Parley, Poppy, Public Relations and Veterans Affairs and Rehabilitation. The overall purpose of each standing committee is as specified in this section; the purpose of each department committee is as described in the American Legion Auxiliary National Program Action Plan. (2018)

1. As provided in the Department Bylaws, the chairmen of all department committees shall be appointed by the Department President and confirmed by the Department Executive Committee.
2. It shall be the duty of the committee chairmen to prepare necessary amendments to the Department Constitution & Bylaws and submit to the Department Office seventy-five (75) days prior to the opening of Department Convention allowing sufficient time for duplicating and mailing to the Districts and Units sixty (60) days prior to the opening of the following Department Convention.
3. Committee Chairmen shall promote their programs in conjunction with corresponding American Legion commissions and committees. Purposes of committees not specified in the Standing Rules shall be assigned by the Department President. Meetings of committees shall be approved by the Department President.

4. Department Chairmen shall not accept invitations to visit other Districts or Units other than their own without permission of the Department President.
5. When a Department Chairman is authorized by the Department President to officially represent the department organization at a meeting or event, a written report must be submitted to the Department President.
6. Department Chairmen are required to maintain records of their activities during their administrative year and share their records with their successors and the appropriate department staff.
7. Department Standing Committee chairmen are appointed for a one (1) year term unless otherwise stated. (2018)

#### **Americanism:**

The purpose of the Americanism Chairman is to promote patriotism and responsible citizenship.

#### **Auxiliary Emergency Fund:**

The purpose of the Auxiliary Emergency Fund Chairman is to urge donations to the Auxiliary Emergency Fund to support this program which is administered by the National Organization, and **the chairman** shall be prepared to transmit information pertaining to the program to the Units. (2019)

#### **Children & Youth:**

The purpose of the Children & Youth Chairman 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.

It is also the responsibility of the Children & Youth Chairman to review all Temporary Financial Assistance grants (TFA) and authorize for disbursement of budgeted funds.

Chairmen charged with disbursements of special funds, may be allowed and checks drawn in excess of the budget only upon presentation, before anticipated disbursements are made, of itemized account to the Department President and Department Finance Committee, and expenditures made only upon authorization of Department President and the Finance Committee.

#### **Community Service:**

The purpose of the Community Service Chairman is to encourage Units and Districts to sponsor community projects and activities within their local area and to work in cooperation with other local agencies. When a natural disaster occurs affecting the area of local Units, those Units are encouraged to initiate, endorse, and participate in any fundraising to alleviate the pain and suffering of their community.

The California Disaster Fund was established in 1989 and is overseen by the Department Community Service Chairman. This Fund assists Auxiliary/Legion members who sustain damage to their homes or great personal loss due to earthquakes and other natural disasters or any unfortunate event causing wide-spread damage.

### **Constitution & Bylaws:**

The purpose of the Constitution & Bylaws Chairman is to inform members about having proper governing documents at all levels.

1. The retiring chairman of Constitution and Bylaws shall be authorized to renumber, re-letter, and proofread changes in the Department Constitution and Bylaws presented to the committee and approved by the Department Convention prior to the final printing.
2. All adopted amendments to the Department Constitution and Bylaws shall be in bold type and carry the year of adoption in parentheses following the changed section.
3. When duplicated copies of proposed amendments to the Constitution and Bylaws are submitted to the Units, the resolutions regarding the changes shall be printed with the proposed changes.

### **Education:**

The purpose of the Education Committee Chairman is to promote Scholarships available to the students within their communities, especially those of our military and veterans.

### **Finance:**

The Department Finance Committee shall be comprised of three (3) members. One (1) member shall, at each convention, be elected to serve for three (3) years on the Finance Committee. **The junior member** shall serve with the two (2) members now on the committee. The Chairman will automatically be dropped upon the election of the new **junior** member and the senior member then becomes the new Chairman. **(2019)**

1. The Finance Committee shall prepare an annual budget covering convention to convention to be presented to and approved by legislative body in convention assembled. They shall supervise expenditures of all funds, subject to ratification of the Executive Committee. The Finance

Committee shall review the expense accounts of Department officers, Department chairmen, and District presidents. The Finance Committee shall meet with the midyear meeting of the Executive Committee; and with the Convention Executive Committee; or at the call of the Department President, and/or the Chairman of the Finance Committee.

- a. The Finance Committee shall make provision in annual budget for Past President's emblem.
  - b. The registration fee of all delegates from this Department to National convention shall be included in the budget approved by the Department Convention.
2. The Finance Committee shall act as a salary reviewing committee. Any recommended changes in salary must be submitted to and approved by the Department Executive Committee before becoming effective.
  3. The Finance Committee shall be responsible for securing the service of an accounting firm (Certified Public Accountants) who shall be responsible to that committee and who shall audit the books of the Department annually following the Department Convention and/or at the request of the Finance Committee.

#### **American Legion Auxiliary California Girls State:**

The ALA California Girls State Committee shall be comprised of nine (9) members, consisting of the Department President, the Department Vice President (or in their absence, their representatives appointed by the Department President), a Girls State Chairman, Girls State Director, Girls State Assistant Director, and four (4) members. Annually, the Department President will appoint one (1) member of this committee to serve for a three-year term and one (1) member to serve a one-year term, under the supervision of the Department President. They shall be the liaison between the Department, the Districts and the Units.

#### **ALA Girls State Director:**

The Girls State Director shall be the administrator in complete charge of the organization, operation, and functioning of the annual Girls State session. **The director** shall be a member of the Girls State Committee. **(2019)**

#### **Junior Activities:**

The Junior Activities Committee shall be comprised of a Junior Conference Director, Junior Activities Chairman, and three (3) members, one who is appointed annually for a 3-year term. The Department President will appoint the Junior Conference Director from members who have attended at least one Junior Conference.

1. The Junior Conference Director shall serve as chairman of the Junior Conference Committee and shall be the administrator in complete charge of the organization, operation, and functioning of the annual Junior Conference.
2. The Junior Activities Chairman shall be the liaison between the Department, Districts and the Units.
3. Any Junior elected to serve as an honorary junior officer must be paying dues as a Junior member for the membership year in which they are installed.
4. Honorary Department Junior officers carry courtesy titles bestowed by the American Legion Auxiliary, and the position of Honorary Junior Department President or any other honorary officer, elected departmentally or at a national division of the American Legion Auxiliary is solely an honorary, courtesy position without any formal recognition and with no official or formal duties, and shall not include traveling as a representative of the department or national American Legion Auxiliary or conducting fundraising for Junior election campaigns or related activities benefitting an honorary Junior department or national officers or candidate.
5. Honorary division Junior presidents may be elected at national division Junior meetings to serve the ensuing year.

#### **Leadership:**

The purpose of the Leadership Chairman is to provide training of all members conducted at all levels; Unit, District and Department.

#### **Legislative:**

The purpose of the Legislative Chairman is to support and promote The American Legion's Legislative agenda.

#### **Membership:**

The purpose of the Membership Chairman is to promote the benefits of membership and to promote retaining and recruiting diverse, active membership to carry out the American Legion Auxiliary mission and programs with the help of six (6) Area Membership Support Team Members.

#### **Music:**

The purpose of the Music Chairman is to provide motivation and support to all chairmen and programs.  
(2018)

### **National Security:**

The purpose of the National Security Chairman is to promote a strong national defense by strengthening and supporting military service members and their families.

### **Past Presidents Parley:**

The purpose of the Past Presidents Parley Chairman is to oversee and promote the Past Presidents Scholarship designated as a Nursing Scholarship awarded annually.

1. **The Chairman** shall promote the Member of The Year Award with the Department President making the final choice. **(2019)**
2. **The Chairman** shall promote the recognition of active duty military women. **(2019)**
3. **The Chairman** shall be a Past Department President and serve in succession if possible. **(2019)**

### **Poppy:**

The purpose of the Poppy Chairman is to oversee the Department Poppy production at all VAMC and State Veterans Homes. To encourage Units and Districts to promote awareness of the Veterans Memorial Poppy.

### **Public Relations:**

The purpose of the Public Relations Chairman is to inform Units and Districts of all information and instructional material relative to publicity furnished by the Department organization and encourage cooperation for special projects or questionnaires.

- a. The Editor provides communications to our members.

### **Veterans Affairs & Rehabilitation:**

The purpose of the Veterans Affairs & Rehabilitation Chairman 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.

It is also the responsibility of the Veterans Affairs & Rehabilitation Chairman to review all Temporary Financial Assistance grants (TFA) and authorize for disbursement of budgeted funds.

Chairmen charged with disbursements of special funds, may be allowed and checks drawn in excess of the budget only upon presentation, before anticipated disbursements are made, of itemized account to the Department President and Department Finance Committee, and expenditures made only upon authorization of Department President and the Finance Committee

### **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.
2. 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.
3. All subsidiary organizations MUST follow the following rules in keeping with required uniformity under U.S. trademark law.
  - a) All officers, directors, trustees, etc. must be confirmed by the American Legion Auxiliary Department Executive Committee. The names and addresses of all officers of subsidiary organizations shall be sent annually, following election, to the Department President of the American Legion Auxiliary, Department of California.
  - b) All vacancies in the subsidiary organization must be filled in the same manner as provided in the organizations 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 quarterly. If the subsidiary did not meet in a particular quarter it must still report to the department in writing that it did not meet, and still must report the quarterly's financial statements.
4. The American Legion Auxiliary department treasurer or financial officer must be a signatory on all accounts of the subsidiary.
5. The American Legion Auxiliary Department Executive Committee, the Department Constitution & Bylaws Chairman, as well as the Department President shall approve the establishment of all department subsidiary organizations and must approve the subsidiary's Articles of Incorporation, Constitution & Bylaws and must approve all amendments thereto.

6. If a subsidiary organization is currently operating and its Articles of Incorporation or Bylaws have not been approved by the Department Executive Committee, then the department should take action immediately to ensure that the subsidiary's governing documents are received for the Department Executive Committee's review and approval.
7. County Councils and the California Girls State Alumni Foundation are subsidiary organizations of the American Legion Auxiliary, Department of California.
8. County Councils. It shall require a request to the Department President from the membership of a majority of the units of any county to organize a council within said county. All councils shall maintain a continuous membership of said units at all times in order to function.
9. Subsidiary organizations of the American Legion Auxiliary Department of California may not have dues that are higher than the Department dues of the American Legion Auxiliary.
10. Subsidiary organizations shall provide all required reports and financial statements as directed by the American Legion Auxiliary.
11. All proposed activities other than those approved by action of the Department Convention or Executive Committee of the American Legion Auxiliary, or in approved bylaws and/or standing rules, must be approved by the Department President.
12. When by mutual consent, or on demand of the Department Executive Committee of the American Legion Auxiliary, any subsidiary organization is dissolved, said organization shall send to Department Headquarters all properties, records, and monies after organization indebtedness is paid; provided requirements of sponsoring organizations are met.

**DEPARTMENT:**

1. The American Legion Auxiliary, Department of California is a separate entity that operates independently as an affiliate of the American Legion Auxiliary National Organization. The Department shall be governed by their own Department Constitution and/or Bylaws, rules and policies, which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National rules and policies. The Department may refer to the American Legion Auxiliary Department Operations Guide, the American Legion Auxiliary Girls State Program and Operations Guide, Manual of Ceremonies and other publications of the National Organization for guidance in the conduct of its programs and the administration of the Department activities. (2018)
2. Governance issues within the Department not resolved by the Department Executive Committee may be appealed to the National Executive Committee. The National Executive Committee has the authority to accept or reject appeals for consideration. (2018)

3. The Department shall not charge for materials received free of charge from National Headquarters. (2018)
4. The Unit has the responsibility for the discipline of its members. A member disciplined by the Unit may appeal the Unit's disciplinary action in writing to the Department Executive Committee. The Department Executive Committee shall review the appeal and respond as it deems appropriate. The action of the Department Executive Committee is final. Disciplinary actions against members, including membership suspensions are not appealable to the National Organization. All discipline must be imposed in accordance with the principals of due process and equal protection. A Department may discipline a Unit for failure to discipline a member. (2019)
5. It shall be the responsibility of the Department Executive Committee as directors of the Department organization to determine all questions affecting the election, eligibility, conduct, and capacity of the Department's officers and directors, Department Executive Committee members, and the Department's National Executive Committee members. Such matters shall be determined according to due process and shall be specified in the Department's governing documents, to include:
  - a. Questions affecting the election, eligibility, conduct, and capacity of the Department's officers and directors, Department Executive Committee members, and the Department's National Executive Committee members shall be submitted in writing to the Department Executive Committee. (2018)
  - b. The Department Executive Committee may designate, appoint, and authorize a subcommittee to hear, try, and make written findings of fact and recommendations regarding such matters. (2018)
  - c. The Department Executive Committee shall provide due and proper notice of any hearing and trial. (2018)
  - d. The findings of fact and recommendations of said matters shall be presented to the Department Executive Committee for its approval, rejection, or final action. (2018)
  - e. The action of the Department Executive Committee in such matters shall be final and conclusive without appeal to the National Organization. (2018)
6. A Legion Department has no authority to regulate an Auxiliary Department and vice versa. (2018)
7. A Department has the authority to establish Department policies for endorsement of candidates for National offices. National Headquarters does not oversee the manner in which Departments select candidates for any National office. (2018)

8. Names and address of all elected Department Officers and Department Secretary, whether elected or appointed, must be provided to National Headquarters no later than thirty (30) days after Department Convention. (2018)
9. Names and complete contact information of all Department Chairmen must be entered into the American Legion Auxiliary Management Information System by the Department no later than the date established by National Headquarters. (2018)
10. National Headquarters shall notify Departments of all Resolutions and Amendments adopted at each National Convention. (2018)

**DISTRICTS:**

1. The District shall be financed by a District per capita tax not less than two cents (\$.02) or, more than fifty cents (\$.50). This fund is to be used for courtesies and operating expenses of the District.
2. Said per capita tax shall be based on Unit membership forty-five days prior to the opening of the Department Convention. This tax shall be due September 1<sup>st</sup>, and delinquent February 1<sup>st</sup>, providing written notice has been mailed to the Unit prior to delinquency date.
3. Units chartered after close of membership books shall pay District per capita tax on charter membership roll.
  - a) Noncompliance with this rule shall forfeit the right of the Unit so delinquent, of their pre-convention caucus and convention representation.
4. The Treasurer's books shall be audited annually within sixty (60) days of the end of the fiscal year, prior to filing appropriate tax forms with the Internal Revenue Service and Franchise Tax Board.
5. Each District shall have Bylaws to cover the needs of the District, so long as they do not conflict with the Department or National Constitution and Bylaws or rulings. Districts may have standing rules to cover situations not covered by the bylaws, providing they do not conflict with the Department or National Constitution and Bylaws or rulings. District Bylaws and amendments before becoming effective must be approved by the Department Constitution and Bylaws Chairman and signed by the Department President. District shall submit two (2) complete copies of Bylaws and four (4) signature pages or four (4) copies of proposed amendment bearing dates of first and second reading and signature of District President and District Constitution and Bylaws Chairman and Department President. **The** Department Chairman will keep one (1) copy **on** file, send one (1) copy to Department Office file and return

two (2) signature pages to District to be attached to District President's file and to District Constitution and Bylaws file. (2019)

**District Presidents and District Vice Presidents:**

Each District President and District Vice President shall have general advisory powers over the Units in the District they represent, promote the organization of additional Units, and assist in increasing the membership and shall hold District meetings for the purpose of receiving Unit reports and to transact such other business as pertains to the District.

1. The District Presidents shall attend the Executive Committee meetings and convention; if unable to **attend, the District President** shall notify the Department and the District Vice President at least forty-eight (48) hours prior to meeting. (2019)
2. The District President shall certify the application for new charters after they have been approved by the Post Commander and Post Adjutant of the Post to which the Unit is to be attached.
3. The District President shall make at least one (1) official visit to each Unit within the District each year, preferably at a date mutually agreed upon between Unit and District President.
4. The District President shall be responsible for a District file of Unit Bylaws, and the District Constitution and Bylaws Chairman shall maintain a duplicate file.
5. The District First Vice President shall attend Executive Committee meetings and convention in the absence of the District President; and shall, upon request of the District President, render a report **of the activities within the District.** (2019)
6. In the absence of the District President and First Vice President, the Second Vice President shall attend the Department Executive meetings and convention and shall render a written report for **the District.** (2019)

**District Secretary:**

The District Secretary shall keep the District minutes and records, and the book approved District Bylaws. It shall also be **the secretary's** duty to see that the Bylaws are present at each District meeting. (2019)

### District Treasurer:

The District Treasurer shall be custodian of the District Funds. The books of the Treasurer shall be audited within sixty (60) days of the end of the fiscal year and the office of the Treasurer shall be bonded, said bond to be paid by the District when billed by the Department Office.

### UNITS:

1. Units of the American Legion Auxiliary are separate entities that operate independently as affiliates of the American Legion Auxiliary Department of California. Units shall be governed by their own Unit Constitution and/or Bylaws which shall not conflict with the National Constitution & Bylaws, National Standing Rules, National rules and policies, Department Constitution & Bylaws, or Department rules and policies. Units may refer to the Unit Handbook, the Manual of Ceremonies and other publications of the National and Department organizations for guidance in the conduct of their programs and the administration of the Unit activities.
2. Each Unit shall have Bylaws to cover the needs of the Unit, so long as they do not conflict with the Department or National Constitution and Bylaws or rulings. Units may have standing rules to cover situations not covered by the bylaws, providing they do not conflict with the Department or National Constitution and Bylaws or rulings. Unit Bylaws and amendments before becoming effective must be approved by the Department Constitution and Bylaws Chairman and signed by the Department President. Unit shall submit two (2) complete copies of Bylaws and five (5) signature pages or five (5) copies of proposed amendment bearing dates of first and second reading and signature of Unit President and Unit Constitution and Bylaws Chairman with proper spacing allowed for date and signatures of Department Constitution & Bylaws Chairman and the Department President. Department Bylaws Chairman will return three (3) signature pages to the Unit. The Unit will place original copy in book of approved Bylaws, and forward one (1) copy to the District President and one (1) copy to the District Constitution & Bylaws Chairman. The Department Constitution & Bylaws Chairman will keep a copy for the Chairman's file and forward one (1) copy to the Department Office file.
3. Each Unit shall maintain its Bylaws in a permanently bound book, or binder of substantial nature. The book of approved Bylaws shall be kept by the Unit Secretary to be present at every meeting.
4. It is recommended that the bookkeeping system suggested by National should be used by Units.
5. Units have the authority to establish annual Unit dues. Annual dues collected by the Unit shall include Department and National dues. Units shall remit Department and National dues according to the policies adopted by the Department Executive Committee, or at least once a month.

6. As provided in the Department Bylaws, the minimum membership of a Unit shall be ten (10) Senior members. A Department Headquarters Unit shall have no minimum membership requirement.

Applications for Senior membership must be signed by applicants in person. Junior applicants may have their membership blanks signed by their natural or legal guardian.

7. No person may, at any time, be a member of more than one Unit.
8. A Unit member may withdraw **their** membership providing **their** current dues are fully paid. Upon withdrawal, however, **the member** shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which said dues are paid. In the event a member wishes to remove **their** membership from one Unit to another during the current year, it shall be done by transfer and not by withdrawal. **(2019)**
9. A new member joining the American Legion Auxiliary prior to the Department Convention must pay full current annual dues to be eligible for full membership rights, privileges, and benefits.
10. Any member wishing to transfer to another Unit must present to the new Unit **their** current membership card. Upon acceptance of the transfer by the new Unit, no dues shall be transferred. If current dues are delinquent **the member** must pay at the new unit. **(2019)**
11. A member whose dues are paid up-to-date and who is not subject to suspension or membership revocation under due process shall be considered in good standing and the member shall be entitled to full membership rights, privileges, and benefits of the new Unit.
12. A Legion Post has no authority to regulate a Unit and vice versa.
13. 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 which has no obligation to assume any of the Unit's debt or other obligations.
14. A Unit whose charter has been suspended, canceled, or revoked by its Department without the Unit's consent may appeal the Department's decision to the National Executive Committee as provided in these Standing Rules.
15. Units must hold not fewer than nine (9) monthly meetings in order to hold their charter, except where dispensations have been granted, as hereinafter provided in the Department Bylaws.
16. The following are eligible to install: Present and past Department Presidents, present Department Officers, present and past District Presidents and Vice Presidents, past Department

Executive Committeewomen, and Unit past Presidents. Units are instructed to notify District President date of installation and name of installing officer.

17. The office of Treasurer in all units shall be bonded, said Bond to be paid every three (3) years for the ensuing three (3) years.
18. The Treasurer's books shall be audited annually within sixty (60) days of the end of the fiscal year, prior to filing appropriate tax forms with the Internal Revenue Service and Franchise Tax Board.
19. Each Unit shall invite the District President to attend at least one (1) regular business meeting each year.

#### **Unit Charters:**

1. A properly executed Unit charter application shall include typewritten names of at least ten (10) new or current Senior members and be accompanied by the per capita dues for each member, plus the Unit Charter fee. Application for Unit charters shall be signed by the Department President and the Commander and Adjutant of The American Legion Post to which the Unit is attached.
2. Department charter fees should be in proportion to the current charter fee as established by National Headquarters. There shall be no charter fee for a Department Headquarters Unit.
3. In addition to revocation as provided in the National Constitution, charters may be cancelled, suspended, or a unit placed on probation. The Department Executive Committee may order the suspension of a charter for a period not to exceed twelve months, as a disciplinary measure, or pending action relative to final revocation, providing notice of such proposed action has been sent to the unit from department headquarters, bearing the signature of the Department President, at least 30 days prior to the department Executive Committee Meeting, and an opportunity is given for a hearing before action is taken.

During the suspension of the Charter, department may provide for the governance and administration of the unit.

4. Prior to suspension, a unit may be placed on probation by the Department Executive Committee, or President, under the supervision of a committee of three, one, of whom shall be the District President, and two appointed by the Department President.

The Department office shall notify the unit immediately following the date of such probation.

During probationary period, units shall be expected to continue all programs they have previously followed and shall be accountable to the committee for a proper report when requested.

5. A cancellation shall be in order when two or more units merge, where a unit voluntarily ceases to function, or under such other conditions as might make such action necessary with the department.
6. Any unit failing to meet obligations imposed upon it by Constitution & Bylaws, or by ruling of Convention or the Executive Committee, or ceasing to function from one department convention to the next as an American Legion Auxiliary unit, or refusing to pay Per Capita tax due department, district, and national organizations shall, upon order of the Department President, surrender its Charter. Upon failing to surrender such charter, immediate steps may be taken for its revocation.
7. A Unit whose charter has been suspended, canceled, or revoked without its consent may appeal the Department's action to the National Executive Committee within sixty (60) days of receipt of notice of the Department's action. Notice shall be given by United States postage prepaid certified mail return receipt requested.
8. The Department Executive Committee after notice and hearing may suspend, cancel, or revoke the charter of a Unit for any good and sufficient cause. All such actions must be imposed in accordance with the principles of due process and equal protection. The proceedings shall be conducted with a court recorder present who will make a complete record.
9. The general process by which a Unit may appeal the decision of its Department Executive Committee to suspend, cancel, or revoke its charter shall be:
  - a) The Unit shall provide written notice of the appeal to the National Secretary within sixty (60) days of the Unit's receipt of notice of the action by the Department.
  - b) The Unit shall provide the written appeal with supporting documentation to the National Secretary and provide a copy of the written notice and appeal with supporting documentation to both the Department President and the Department Secretary.
  - c) The National Secretary shall notify the National President of the appeal.
  - d) The Department upon notification of the Unit's appeal shall provide a written copy of its actions regarding the suspension, cancellation, or revocation, of the Unit's charter to both the National President and National Secretary and a full copy of the file of the Department's proceedings.
  - e) The National President, as presiding officer of the National Executive Committee, shall appoint a special subcommittee of three (3) to five (5) members of the National Executive Committee to review the appeal.

- f) The National President shall present the appeal at the next meeting of the National Executive Committee that allows for proper due notice and review of the appeal.
  - g) The special subcommittee shall meet at least one day prior to the meeting of the National Executive Committee at which the National President will present the Unit's charter appeal. The special subcommittee shall review the appeal and recommend to the National Executive Committee action(s) to be taken thereon.
  - h) The National Executive Committee shall act on an appeal as provided in the following section.
10. It shall be the responsibility of the National Executive Committee to hear and act on an appeal duly presented from a Unit whose charter has been suspended, canceled, or revoked by the Department Executive Committee without the Unit's consent. The National Executive Committee after notice may conduct a hearing. The National Executive Committee may approve, reject, or take other action regarding the suspension, cancellation, or revocation of the Unit's charter for any and sufficient cause to it appearing.

The special subcommittee appointed by the National President to review the appeal shall make written findings of fact and recommendations to the National Executive Committee regarding the suspension, cancellation, or revocation of the charter of any American Legion Auxiliary Unit.

The special subcommittee shall notify the Unit and the Department of the day it will report to the National Executive Committee.

The National Executive Committee may approve, reject, or take other action on the appeal. The action of the National Executive Committee upon such findings and recommendations shall be final.

11. When a Charter has been lost or destroyed, a duplicate can be secured on application to the Department Secretary and payment of charter fee; duplicate charter rolls can be obtained by the same procedure.
12. A Unit cannot be reinstated under a charter which has been canceled or revoked. It may however, reorganize and apply for a new charter following the procedure outlined for the organization of new Units.
13. The cancellation or revocation of a Post charter does not invalidate the charter of its Auxiliary unit. The Unit may continue to operate, bearing the name and number of the Post to which it was attached.

**DUES AND ASSESSMENTS:**

1. The National per capita dues for senior members shall include a complimentary subscription to the American Legion Auxiliary National Magazine. (2018)
  - a. Per Capita tax shall be paid in advance annually. The National Senior per capita dues shall be twelve dollars (\$12.00), Department senior per capita dues shall be seven dollars (\$7.00) and Auxiliary News assessment shall be \$1.00 and National Junior dues are two dollars and fifty cents (\$2.50) and Department Junior dues are seventy-five cents. (2018)
  - b. As provided in the Department Bylaws, modification to the Department per capita dues for Senior and Junior members shall require a two-thirds vote in the affirmative by the Department Convention delegates. (2018)
2. Dues shall be payable annually for the succeeding calendar year or may be paid for life via a Paid Up for Life (PUFL) membership.
3. A member failing to pay such annual dues by January thirty-first of the current membership year shall be delinquent and suspended from membership privileges.

A member deemed delinquent for failing to pay dues by December thirty-first of the current membership year shall be classified as expired. Such expired member may rejoin as an active member under **their** original join date without interruption of **the** continuous years of membership, and **their** membership privileges reinstated, by payment of all past dues. (2019)

A member deemed expired for failing to pay dues by December thirty-first of the current membership year may rejoin, with a new join date, at any time in the future by re-establishing eligibility and make application as a new member.

Member applications and member reinstatements may also require Unit action if a Unit's governing documents so state.

4. As provided in the Department Bylaws, the Department Executive Committee, by a two-thirds vote in the affirmative, may levy a per capita assessment.
5. All units in good standing shall pay a registration fee not to exceed twenty (\$20.00) dollars per delegate. Fee shall cover full voting strength of the Unit prior to the District pre-convention caucus.
6. All Department Officers and committee chairmen who disburse funds for this organization shall be bonded through the Department. Each officer or chairman shall forward all books, canceled checks and supporting papers to headquarters for audit when requested to do so by the Department President, Department Secretary, Department Treasurer or Department Finance Committee.

