

DEPARTMENT OF PENNSYLVANIA BYLAWS

ARTICLE I

Name

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

ARTICLE II

Object

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

ARTICLE III

Nature

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

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

ARTICLE IV

Organization

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

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

ARTICLE V

Eligibility

- Section 1
- a) Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, granddaughters and great-granddaughters of members of the American Legion.
 - b) To the mothers, wives, daughters sisters, granddaughters and great-granddaughters of all the men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; December 22, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; and dates inclusive; and to the mothers, wives, daughters, sisters, granddaughters and great-granddaughters of all military personnel now in the services who have joined The American Legion, provided they entered the service on or before August 15, 1973; who being citizens of the United States at the time of their entry therein, served on active duty in the Armed Forces of any of the governments associated with the United States during any of said periods, and died in line of duty or after honorable discharge.
 - c) To those women who of their own right are eligible to membership in The American Legion.

Section2 There shall be two classes of membership, senior and junior.

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

ARTICLE VI

Election and Duties of Officers

- Section 1 The officers of the Department shall be President, Department Vice President, three Sectional Vice Presidents, Executive Secretary-Treasurer, Chaplain, Historian and 28 District Presidents.
- Section 2 The President, Department Vice President, three Sectional Vice Presidents, Executive Secretary-Treasurer, Chaplain and Historian shall be elected at the Annual Convention. No person shall be eligible for re-election to the office of Department President, Department Vice President, three Sectional Vice Presidents, Chaplain and Historian. The Executive Secretary-Treasurer shall be elected for a four-year term, and may be eligible for re-election.
- Voting shall be by ballot, and candidates for the respective offices receiving the majority of the votes cast shall be declared elected. When there is but one candidate for office, voting may be by acclamation. All of these Department Officers elected at the Department Convention shall assume office August first.
- Section 3 There shall be 28 District Presidents. Each of these District Presidents shall be elected for a term of two years. If the occasion should arise that there is no candidate for District President, the current District President would be eligible to succeed herself for the second two-year term. Each District President shall be elected at a special meeting called for by the District President at least two weeks prior to the Department Convention OR at a special meeting called the same day as the Annual Council Meeting, the election to be held either before or after the Council Meeting. If proper notice has been sent each Unit under the jurisdiction of the outgoing District President, regarding special meeting for election of new District President, a quorum shall consist of the accredited delegates (or alternates) in attendance. The election shall be ratified by the Department Convention. ARTICLE VIII, Section 2, 3 and 4 of Department Bylaws shall govern those eligible to vote for said District President. Voting shall be by ballot and the candidates for District President receiving the majority of the votes cast shall be declared elected. When there is but one candidate for the office, voting may be acclamation. All District Presidents shall be installed at the Convention. Newly-elected District Presidents shall assume office August first. The vacancies occurring between Conventions shall be filled by the Executive Committee with the exception of the District Presidents. The District President vacancies shall be filled by the Council immediate past delegates to the Department Convention.
- Section 4 The nominations for President, Department Vice President, Secretary-Treasurer, Chaplain and Historian shall be made from the Department Convention floor the second day of the Convention. The nominations of Sectional Vice Presidents, Delegates and Alternates to the National Convention shall be made in Sectional Caucuses.
- Section 5 The seniority of Vice Presidents shall have under her special jurisdiction one geographic section – the Western Section Vice President with twelve (12) District Presidents, the Central Vice President with nine (9) District Presidents, the Eastern Vice President with seven (7) District Presidents for whose activities the respective Sectional Vice Presidents shall be held responsible.
- Section 6 The minutes of all meetings of the Department and Executive Committee shall be recorded by a capable stenographer or recorder.
- Section 7 The Department President shall preside at all meetings of the Department Convention assembled and the Department Executive Committee; appoint the Parliamentarian, members of the constituted committees and create such other committees and appoint members thereto as she deems advisable with the approval of the Department Executive Committee and subject to the limitations imposed in Article X. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office. She shall not waive her rights to the Department Executive Secretary-Treasurer or to any other person, permitting the signing of her name to applications for Charter or to Charters issued by National Headquarters or to any legal document pertaining to the Department.

- Section 8 The Department Vice President shall assume the duties of the President in her absence. The Department Vice President shall be appointed to a major Department Chairmen. The Office of Department Vice President shall be rotative among the three sections of the State in the following order, Eastern, Central, Western.
- Section 9 The Executive Sectary-Treasurer shall receive a salary approved by the Executive Committee and shall be the only officer to receive a salary. The Executive Secretary-Treasurer shall conduct the correspondence of the Department, send out all notices and literature, order stationery and printing, shall collect, receive and have custody of all funds and pay bills as authorized by the Executive Committee. She shall render a financial report at the Executive Committee Meetings and an audited, detailed financial statement at the close of the fiscal year.
- Section 10 The Department Chaplain shall offer prayer at the Department Convention and at all meetings of the Department Executive Committee. She shall have charge of the Memorial Service at the Department Convention; and perform such other duties incident to her office as shall be assigned by the Department President.
- Section 11 The Department Historian shall be responsible for the compiling of a complete historical record of the Department, and make a report at the Department Executive Committee meeting.
- Section 12 The activities of the District Presidents shall consist of organization work, installation of officers and such other duties as the Department President or Vice President of their District shall call upon them to perform. They shall be in charge of the American Legion Auxiliary in their respective Districts under the direction of the Department President. It shall be their duty to encourage and promote in every way the growth, welfare and accomplishments of the Units and with the organization of new Units in their Districts.
- Section 13 The Department Vice President shall automatically succeed to the office of Department President should office for any reason become vacant between Conventions. If the Department Vice President is unable to perform the duties of the Department President, she shall be succeeded by the first Sectional Vice President. The second Sectional Vice President shall become the first Sectional and the third Sectional Vice President shall become the second Sectional and the Executive Committee shall elect a third Sectional Vice President. Any Vice-President who serves in the office of Department President for a period of six months or more shall be considered a Past Department President and shall be entitled to all privileges thereof. Other vacancies occurring between Conventions shall be filled by the Executive Committee.
- Section 14 The Past Department Presidents shall be the National Executive Committeewoman, and a member with vote, of the Department Executive Committee, for the year immediately following her term as Department President, and the Department President shall be the Alternate National Executive Committeewoman.
- In the case of death or resignation of the National Executive Committeewoman, her alternate shall automatically become the National Executive Committeewoman.
- Section 15 A bond shall be provided by the Department to cover any officer handling funds of the Department.

ARTICLE VII

Executive Committee

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

Allegheny County;
Armstrong, Indiana Counties;
Beaver, Lawrence, Mercer Counties;
Bedford, Blair Counties;
Butler County;
Cambria County;
Clearfield, Jefferson, Clarion Counties;
Elk, Forest, Warren, McKean, Cameron, Counties;
Erie, Crawford, Venango, Counties;
Somerset County;
Washington, Fayette, Greene Counties,
Westmoreland County;

Nine from the Central Section with respective Districts as follows:

Adams, Franklin Fulton York Counties;
Bradford, Tioga, Potter Counties;
Centre, Lycoming, Clinton Counties;
Cumberland, Dauphin, Lebanon Counties;
Huntingdon, Mifflin, Juniata, Perry Counties;
Lackawanna, Susquehanna Counties;
Luzerne, Wyoming Counties;
Union, Snyder, Northumberland, Montour, Columbia, Sullivan Counties;
Wayne, Pike Counties;

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

Berks County;
Carbon, Lehigh, Monroe, Northampton Counties;
Chester, Lancaster Counties;
Delaware County;
Montgomery, Bucks Counties;
Philadelphia County;
Schuylkill County

- Section 2 All Past Department Presidents in good standing in their local Units shall be members for life of the Department Executive Committee, with privilege of recommendation and discussion only.
- Section 3 The Department Executive Committee shall meet at place of Convention prior to the opening session; and at least twice between Conventions as such time and place as shall be determined by the President. A special meeting of the Executive Committee may be called by the President, or on written request of ten members, provided call for meeting is sent out at least one week prior to date of meeting.
- Section 4 A majority of the voting members shall constitute a quorum to transact business.
- Section 5 The officers of the Department shall also serve as officers of the Executive Committee. They shall have power to act between Executive meetings and shall meet on the call of the President.
- Section 6 The Department Executive Committee shall have power for good cause to suspend or remove from office any elective or appointive officer of the Department or any elective or appointive officer within the Department after fair and impartial hearing of the charges brought against such officer.
- Section 7 No person shall hold more than one office on the Department Executive Committee, whether appointive or elective, in the same year.
- Section 8 There shall be no appointments for longer than 3 years except as provided in the Department Bylaws or Convention Mandate.
- Section 9 A summary of each Department Executive Committee Meeting shall be published in the News Letter.

ARTICLE VIII
Department Convention

- Section 1 The legislative body shall be a Department Convention to be held annually.
- Section 2 Each Unit shall be entitled to be represented at the Department Convention by one Delegate and one Alternate; and one additional delegate and alternate for each 100 members, or major fraction thereof, whose current Department and National per capita tax has been received in the Department 30 days prior to the opening of the Convention. Each Unit shall be entitled to as many votes as it is Delegates. All Delegates and Alternates shall be elected.
- Section 3 Department Officers, District Presidents, Chairmen of Department Standing Committees, Department Hospital Representatives, Department Hospital Chairmen, and Hospital Field Service Director, by virtue of their election or appointment shall be fully accredited Delegates at large to the Department Convention and shall not relinquish said vote in order to vote their Unit strength. Presidents of duly organized County Councils by virtue of their election, shall be fully accredited Delegates to the Department Convention.
- Section 4 All Past Department President in good standing in their Units shall be Delegates-at-large to the Department Convention.
- Section 5 The number of Units represented as provided above shall constitute a quorum.

ARTICLE IX
Revenue

There shall be a per capita tax of \$2.00 per annum for Junior members and \$9.00 per annum for Senior members, paid by the Units upon application for charter and annually thereafter at such times designated. Additional revenue if needed shall be raised from such other sources as may be determined by the Executive Committee.

ARTICLE X
Standing Committees

- Section 1 There shall be the following Standing Committees: Americanism, Auxiliary Emergency Fund, Children and Youth, Community Service, Constitution and Bylaws, Education, Finance, Foreign Relations, Girls State, Juniors, Leadership, Legislation, Membership, National Security, President's Project, Past President's Parley, Poppy, Public Relations, and Veterans Affairs and Rehabilitation.
- Section 2 The Finance Committee shall be composed of three members not holding Department elective office. Of these three members first appointed, one shall serve for one year, one for two years, and one for three years, and each year thereafter one member of this Committee shall be appointed for a term of three years. Appointment of a Finance Committee member will be limited to one consecutive term consisting of three years. Such a member will be eligible for re-appointment after a lapse of three years only. Of these three members, one shall be from the Eastern Section, one from the Central Section and one from the Western Section of the State. This committee shall oversee the general financial policy of the Auxiliary subject to ratification by the Executive Committee. It shall be charged with the preparation of the yearly budget and shall supervise the expenditure of all Auxiliary funds.
- Section 3 With the exception of the Finance and Past Presidents Parley, Committees and Chairman shall be appointed by the President subject to ratification by the Executive Committee. The President shall create and discharge such additional Special Committees as may from time to time be needed, subject to ratification by the Executive Committee. The President shall appoint the Chairman of the Finance Committee and the Parliamentarian. The National Executive Committeewoman serves as Chairman of the Past Presidents Parley by virtue of her office.

ARTICLE XI

Units

- Section 1 The smallest Administrative body of the American Legion Auxiliary, Department of Pennsylvania, shall be termed the Unit, the minimum membership of which shall be ten (10) Senior members. A Unit desiring to be chartered shall apply through its Post Commander for Charter application blanks to the Department Office. When the blanks are returned properly executed, and accompanied by both State and National per capita tax and charter fee of ten dollars (\$10.00), and recommended by the Department President, the charter will be issued by the National President and the National Secretary. The organization shall be effected and completed by the District President.
- Section 2 Units shall be given the name and number of the Post to which they are attached.
- Section 3 The Officers of a Unit shall be a President, First Vice President, Second Vice President, one or more Secretaries, Treasurer (or a Secretary-Treasurer), Chaplain, Historian and Sergeant-at-Arms.
- Officers shall be installed by the District President, Department President, Department Vice President, three Sectional Vice Presidents, or a Past Department President. If these officers are unable to install, then a Past Sectional Vice President, or a Past District President may install with the approval of the current District President.
- Section 4 Units shall report to the Department Office each month the number of new members admitted together with their application for Membership forms correctly filled out; and shall also remit the per capita tax due to the National Auxiliary and the Department with this report, listing the new and renewal memberships separately.
- Section 5 Annual dues shall be payable August first of each year for the next ensuing calendar year. A member failing to pay such annual dues by January thirty-first shall be classed as delinquent and shall be suspended from all membership privileges, provided however, such suspended member shall be notified in writing by the Secretary of the Unit of such suspension prior thereto. Payment of back dues, after suspension, shall reinstate such member to active membership. Any members delinquent to December thirty-first of the year of delinquency shall automatically be dropped from the rolls, and may not hereafter be reinstated without vote of the Unit, where the Unit requires a vote on applications for membership, and the payment of all back dues, or by re-establishing eligibility and making application as a new member.
- Section 6 Subject to the provisions as to eligibility contained in the National and Department Constitutions of the Auxiliary, each Unit shall be the judge of qualifications of its candidates for membership and shall have the authority to expel a member upon proper showing of fraud in obtaining membership or conduct unbecoming a member of the American Legion Auxiliary. All charges must be made in writing and notice of such contemplated action must be given all members of the Unit at least fifteen (15) days previous to the meeting at which action is taken. A majority of members present shall be necessary to reject an application for membership and two-thirds vote of members present to expel a member. The accused shall have the right with thirty (30) days to appeal to the Executive Committee of the Department and if she desires, to appear in person before said Committee whose action upon the case shall be final. The procedure for the expulsion or suspension of a member of the American Legion Auxiliary shall be governed by the rules outlined in the Unit Handbook.
- Section 7 All Senior members in good standing in a Unit shall be entitled to vote. No person may be a member at any time of more than one Unit. A member of a Unit in this Department in good standing may be transferred to any Unit in the Department and no additional dues shall accrue to the Department because of this transfer. No dues shall be transferred and the transferring member shall be entitled voting privileges in the Unit which she transfers until the expiration of her paid dues.

- Section 8 Any Unit failing to meet the obligations imposed upon it by the Constitution and Bylaws or by rulings of Convention or Executive Committee, or, ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit, or refusing to pay per capita tax due Department and National organizations, shall, upon order of the Department President, surrender its charter, records and funds, with the prerogative of specifying the Department program to benefit from such funds. Upon failing to surrender its charter, records and funds immediate steps may be taken by the Department Executive Committee for the revocation of the same.
- Section 9 Units shall not, unless authorized by the Department Executive Committee, incur any obligations or liabilities of any kind whatsoever, which shall subject to liability any other Unit, Post, Sub-Division, Department, Organization, Committee or group of members of the Auxiliary or of the American Legion.
- Section 10 Units shall not affiliate with organizations other than Community Service Agencies, unless expressly authorized so to do by the Department Executive Committee.

ARTICLE XII

National Delegates

- Section 1 The Department "Shall be entitled to five delegates" to the National Convention "and one additional delegate for each 1,500 members or major fraction thereof, where current dues have been received by the National Treasurer thirty days prior to the meeting of said Convention, and one alternate for each delegate." Alternates shall have all the privileges of delegates except that of voting. The delegates shall be elected at Department Convention at least two weeks prior to National Convention. (Quotes extracted from Article VI, Section 2, National Constitution.)
- Section 2 The retiring Department President and retiring Executive Secretary-Treasurer shall be considered as two of the delegates by virtue of their office. The retiring Department Vice President shall be alternate.
- Section 3 The retiring Department President shall be the leader of the Pennsylvania Delegation at the National Convention in the year in which she retires.

ARTICLE XIII

Fiscal Year

The Fiscal year of the Department shall be from August first to July 31st and audited detail report covering the fiscal year shall be mailed not later than September 15th.

ARTICLE XIV

Parliamentary Rulings

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

ARTICLE XV

Amendments

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