

**CONSTITUTION**  
**Of the**  
**American Legion Auxiliary, Department of Ohio, Inc.**

**PREAMBLE**

For God and Country, we associate ourselves together for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred per cent Americanism; to preserve the memories and incidents of our associations during the Great Wars; to inculcate a sense of individual obligation to the community state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; to participate in and contribute to the accomplishment of the aims and purposes of the American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

**ARTICLE I**

**Name**

Section 1. The name of the organization shall be American Legion Auxiliary, Department of Ohio, Incorporated.

**ARTICLE II**

**Objects**

Section 1. The objects of the American Legion Auxiliary shall be the same as those expressed in the Constitution of The American Legion.

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

**ARTICLE III**

**Eligibility**

Section 1. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, granddaughters, great granddaughters and grandmothers of The American Legion, and the mothers, wives, daughters, sisters, granddaughters, great granddaughters and grandmothers of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the date of cessation of all hostilities as determined by the Government of the United States; all dates inclusive, or who being citizens of the United States at the time of their entry therein, served on active duty in the Armed Forces or any of the governments associated with the United States during any of said periods and died in line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in the American Legion.

Section 2. There shall be two classes of membership, Senior and Junior.

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

#### **ARTICLE IV Officers – Elections**

Section 1. The Department officers shall be: President, First Vice-President, Second Vice-President, Secretary-Treasurer and 14 District Presidents. The National Executive Committeewoman shall be the immediate past Department President.

Section 2. Nominations for election of Department officers with the exception of the Department Secretary-Treasurer, District Presidents and National Executive Committeewoman (NEC) shall be made at the Department Convention. Any Unit member in good standing is eligible to hold office.

Section 3. The President, First Vice-President and Second Vice-President shall be elected annually. For those offices with more than one nominee, election shall be by ballot at the Department Convention. These officers are elected at the Department Convention for a term of one year or until their successors are elected and installed. A plurality vote shall elect. These officers shall not be eligible for a second term in the same office. These officers shall assume their duties at the adjournment of the Department Convention.

Section 4 A vacancy occurring in any office shall be filled by the Department President with the approval of the Department Executive Committee.

Section 5. The Department President, First Vice-President, Second Vice-President, National Executive Committeewoman, the Fourteen District Presidents, and Department Secretary-Treasurer without vote, shall comprise the Department Executive Committee.

#### **ARTICLE V Organization**

##### **Department Convention**

Section 1. The Department Convention shall be held annually at the time and place fixed by The American Legion and this Convention shall be the legislative body of the organization.

Section 2. Representative in the Department Convention shall be by Units. Each Unit shall be entitled to one Delegate and one Alternate for the first ten (10) members, and one Delegate and one Alternate for each fifty (50) members or major fraction thereof, whose current dues have been received at Department Headquarters by May 31<sup>st</sup>. Credentials of Delegates and Alternates must be presented properly filled out and assigned by the Unit President and the Unit Secretary.

Section 3. Members of the Executive Committee shall be Delegates-at-large to the Department Convention with vote to be exercised with their respective Districts.

Section 4. All Past Department Presidents shall be Delegates-at-large to the Department Convention with vote to be exercised with their respective Districts provided they are members in good standing in their local Units within the Department of Ohio.

Section 5. Each Delegate present at the Convention shall be entitled to one vote. The Alternate may represent the Delegate in her absence.

Section 6. A quorum shall exist when Delegates from a majority of the Districts are represented.

### **Emergency Convention**

Section 7. In the event of some great emergency such as war, epidemic, or disaster, the Executive Committee shall have authority to determine whether or not the annual Convention shall be held; a two-thirds vote shall decide, and the vote may be taken by mail. In the event a Convention is not held, the Executive Committee shall have the authority to plan the procedure for conducting all Convention business.

### **Organization**

Section 8. The Department shall be divided into fourteen Districts, numbered 1 to 14 inclusive.

Each District shall be comprised of the following named Counties:

- District 1 – Defiance, Fulton, Hancock, Henry, Lucas, Ottawa, Paulding, Putnam, Williams, Wood.
- District 2 – Allen, Auglaize, Hardin, Logan, Mercer, Shelby, Van Wert.
- District 3 – Champaign, Clark, Darke, Greene, Miami, Montgomery, Preble.
- District 4 – Brown, Butler, Clermont, Clinton, Hamilton, Warren.
- District 5 – Ashland, Crawford, Erie, Huron, Lorain, Medina, Richland, Sandusky, Seneca, Wyandot.
- District 6 – Delaware, Knox, Licking, Madison, Marion, Morrow, Union.
- District 7 – Adams, Fayette, Highland, Lawrence, Pickaway, Pike, Ross, Scioto.
- District 8 – Athens, Fairfield, Gallia, Hocking, Jackson, Meigs, Perry, Vinton.
- District 9 – Ashtabula, Geauga, Mahoning, Trumbull, Lake.
- District 10 – Carroll, Columbiana, Coshocton, Harrison, Holmes, Jefferson, Stark, Tuscarawas, Wayne.
- District 11 – Belmont, Guernsey, Monroe, Morgan, Muskingum, Noble, Washington.
- District 12 – Franklin
- District 13 – Cuyahoga
- District 14 – Portage, Summit.

Section 9. Local organizations shall be known as Units and may be established as Auxiliaries to Posts of The American Legion provided Posts approve applications for charters. The name of each Unit shall be Unit of \_\_\_\_\_ Post No. \_\_\_\_\_ American Legion Auxiliary, Department of Ohio, Inc.

## **District Convention**

Section 10. A District Convention shall be held in each District at least (15) days prior to the date of the Department Convention, at a time and place designated by the District President.

Representation at the District Convention shall be by delegates who shall be those delegates and alternates elected by the Units to serve at the Department Convention. Each delegate present at the District Convention shall be entitled to one vote. The alternate shall represent the delegate in her absence.

The names of the Delegates and Alternates shall be certified to the District President for the District Convention as soon as elected but not later than one (1) week prior to the Convention if possible.

Section 11. A District President shall be elected by plurality vote at the District Summer Convention for a term of two (2) years, this election to be ratified by vote at the following Department Convention. She shall assume her office after installation at the Department Convention. In case there is but one candidate for this office, the Secretary may cast the ballot. A District President shall not be eligible for re-election immediately following her term of office.

Presidents shall be elected in District No. 1, 3, 5, 7, 9, 11, and 13 in even numbered years, and in Districts No. 2, 4, 6, 8, 10, 12, and 14 in the odd numbered years.

Section 12. At the District Convention, a representative shall be appointed by the District President from the regularly elected delegates, to serve on each Department Pre-Convention Committee.

Section 13. A District President shall be elected by and from the District in which the Unit to which she belongs is located, provided her legal residence is that District or an adjoining District or equivalent. Otherwise a vacancy shall be declared in that office.

- a. The District President shall be the District Membership Chairman.
- b. The District President shall appoint the District Chairmen for Americanism, Children and Youth, Community Service, Junior Activities and Veterans Affairs and Rehabilitation.

Section 14. Each District shall hold at least one Conference a year, the time and place to be approved by the Department Executive Committee.

## **ARTICLE VI Amendments**

This Constitution shall be amended at any Department Convention by a two-thirds vote of the Delegates present and voting, provided the proposed amendment has been submitted to the Executive Committee and each Unit at least sixty (60) days prior to the date of the Department Convention. This Constitution shall be automatically amended to conform to any amendment of the National Constitution and Bylaws and Standing Rules.

**BYLAWS  
Of the  
American Legion Auxiliary, Department of Ohio, Inc**

**ARTICLE I  
Duties of Department Officers**

Section 1. The Department President is the official representative of the Department. The President shall preside at all meetings of the Department Convention and Executive Committee. With the approval of the Executive Committee, she shall appoint a Chaplain, Historian, members of permanent committees and all members of the Administrative Board of Buckeye Girls State, with the exception of the Department Officers. With the approval of the Executive Committee, she may create such further committees as are deemed advisable and appoint the members thereof. She shall be ex-officio member of all committees and Chairman of the Executive Board of Buckeye Girls State.

The President shall be the alternate National Executive Committeewoman.

The retiring President automatically becomes the National Executive Committeewoman; and shall act as Chairman of the delegation to the National Convention. Her term of office shall commence immediately following the adjournment of the National Convention next ensuing and shall end at the adjournment of the next succeeding National Convention.

Since the incorporation papers of the American Legion Auxiliary, Department of Ohio, Inc. state an agent and three (3) Trustees are necessary, in case of vacancy, the Department President shall appoint, with the approval of the Department Executive Committee, someone to fill this vacancy.

Section 2. The First Vice-President shall assist the President and in her absence or inability shall assume her duties. The Department First Vice-President shall be the Membership Chairman.

Section 3. The Second Vice-President shall assist the President and First Vice-President in all their duties. She shall serve as Public Relations Chairman and assume such duties as authorized by the Department President and approved by the Department Executive Committee.

Section 4. The Secretary-Treasurer shall conduct all correspondence, record the minutes of the Department Executive Committee, copies of which shall be sent to all members of the Executive Committee and Past Department Presidents. She shall receive all monies from the Units, credit them to the designated accounts, deposit them in the name of the American Legion Auxiliary, Department of Ohio, Inc., in a bank approved by the Executive Committee. She shall submit a monthly report to the Officers, the National Executive Committeewoman, members of the Finance Committee and all Past Department Presidents, and also submit a report at each meeting of the Executive Committee. She shall act as Secretary of the Delegation to the National Convention. She shall employ such additional Headquarters staff as deemed necessary. She shall be Editor of the Buckeye Messenger.

The American Legion Auxiliary Department Secretary/Treasurer has been authorized to invest American Legion Auxiliary moneys.

The Department Secretary-Treasurer, the Department Bookkeeper and the Department President shall be the designated for all official transactions.

Section 5. The Secretary/Treasurer shall be bonded in amount determined by the Executive Committee, with the premium of the bond paid from the Department Treasury.

Section 6. The District Presidents shall preside at all District meetings within their respective Districts, and shall perform all duties pertaining to their office.

Section 7. The retiring President shall review the verbatim Convention report for approval and report the action at an Executive Committee meeting.

Section 8. In the event a Department President dies or is incapacitated while still in office, the First Vice-President will assume her duties until the close of the current President's Department Convention. During said Convention, the incumbent Department President shall appoint a Past Department President from the former Department President's District to assume the duties of NEC, Past Presidents Parley Chairman, and Policy Committee. If there is not a Past Department President able to assume these responsibilities, a Past Department President from another District will be considered.

Section 9. All contracts shall be negotiated and signed by the Department Secretary/Treasurer.

## **ARTICLE II**

### **Executive Committee**

Section 1. The Department President, Department First Vice-President, Second Vice President, National Executive Committeewoman, fourteen District Presidents and the Department Secretary-Treasurer without vote, shall comprise the Department Executive Committee. All Past Department Presidents in good standing in their respective local Units within the Department of Ohio shall have the privilege of attending all Executive Committee meetings with voice but without vote or expense allowance.

Section 2. The Executive Committee shall have full jurisdiction and authority over all business of the Department in the interim between Conventions.

Section 3. This Committee shall have general supervision over the property of the Department.

Section 4. This Committee shall meet at least four (4) times each year, its first meeting to be held immediately following the Department Convention and its last meeting shall be held immediately preceding the Department Convention. All other meetings shall be at the call of the President.

Section 5. A quorum for the Executive Committee shall exist when at least seven (7) of the District Presidents and two (2) of the other Officers are present.

Section 6. This Committee shall approve the appointments by the President of all members of permanent Committees except Public Relations and Membership.

Section 7. It shall approve, at its second meeting of the year, the budget prepared by the Department Finance Committee.

Section 8. Before filling any vacancy within this Committee, the President must obtain the approval of the Executive Committee. When the vacancy occurs in the office of a District President, the successor shall be appointed from the same District.

Section 9. The Executive Committee, at its Post Convention meeting, shall approve the appointment of the Department Secretary-Treasurer and any District President vacancies.

Section 10. It shall employ a Public Accountant who shall make an annual audit of the books and records of the Secretary/Treasurer. This report shall be printed in condensed form in the following issue of the Buckeye Messenger.

Section 11. The resignation of a member of a committee, accepted by the Executive Committee immediately prior to the Department Convention, shall indicate a vacancy in that office.

Section 12. The District Presidents' attendance at all Executive Committee meetings is mandatory unless excused by the Department President.

### **ARTICLE III Committees**

Section 1. There shall be such permanent Committees as are deemed necessary to promote the objectives of the Department and shall include Americanism, Auxiliary Emergency Fund, Chaplain, Children & Youth, Community Service, Constitution and Bylaws, Education, Finance, Historian, Internal Audit, Junior Activities, Leadership Development, Legislative, Membership, Music, National Security, Past President's Parley, Policy, Poppy, Public Relations, Unit Development and Revitalization, and Veterans Affairs and Rehabilitation. *(amended at Department Convention, June 26, 2010, Toledo, Ohio)*

Section 2. The following shall be comprised of three (3) members, one to be appointed each year: Finance; Internal Audit; Junior Activities; and a Policy Committee composed of three (3) immediate Past Department Presidents. The following shall be comprised of two (2) members, a chairman and vice-chairman: Americanism; Children and Youth; Community Service; Unit Development and Revitalization; and Veterans Affairs and Rehabilitation. The members of all other Committees shall serve for one year, which service shall terminate with the adjournment of the Annual Convention. *(amended at Department Convention, June 26, 2010, Toledo, Ohio)*

Section 3. The Finance Committee shall supervise the general financial policy of the Department subject to the ratification of the Executive Committee. It shall prepare an annual budget, which shall be presented to the Executive Committee for approval at its second meeting of the year. It shall supervise the expenditures of funds in accordance with the budget. The Chairman shall receive the vouchers from Department Headquarters for study and approval. The chairman of the Finance Committee together with the Department President and Department Secretary/Treasurer shall sign all vouchers drawn for the disbursement of funds. In the event of disagreement, it shall be referred to the attention of the Executive Committee.

The President, First Vice-President, Second Vice-President, and Secretary/Treasurer may jointly present recommendations to this Committee.

The Finance Committee with the Department President and Department Secretary/Treasurer meet at least four (4) times a year upon the call of the Department President.

No member of the Finance Committee shall serve more than three (3) years consecutively.

Section 4. The Constitution and Bylaws Chairman shall approve the Constitution and Bylaws of all Units and any amendments thereto. Should questions arise, the Department Parliamentarian will be the final authority. The Constitution and Bylaws Chairman and Parliamentarian shall serve as the committee to revise the Department Constitution and Bylaws.

Section 5. The Department President shall appoint a qualified parliamentarian to serve during the year to assist Units in parliamentary procedures.

Section 6. With the exception of the Past Presidents Parley Chairman, the Policy Committee, the Membership Chairman, and Public Relations Chairman, no member shall hold more than one (1) major Department appointment. VA Medical Center Chief Representatives, the Ohio Veteran's Home Chief Representative, VA Outpatient Representatives, the Buckeye Girls State Director, and permanent committees are all considered major Department appointments.

Section 7. Any Chairman who is not fulfilling the obligations of her office shall be asked to resign by the Executive Committee. A new appointment shall be made by the Department President.

#### **ARTICLE IV**

##### **Dues**

Section 1. The revenue of the American Legion Auxiliary shall be derived from annual membership dues of Senior and Junior members and from such other sources as may be approved by the National Executive Committee. The annual dues shall be collected by each Unit and transmitted to the Department.

Section 2. Each Unit shall pay to the Department a sum of eight dollars(\$8.00) per capita plus the required National per capita for each Senior Member and a sum of two dollars and seventy five cents(\$2.75) per capita plus the required National per capita for each Junior member, annually for the succeeding calendar year, who are not Paid-Up-For-Life (PUFL) members. The Department per capita for each Senior member will include the Veterans Affairs and Rehabilitation assessment, the Children and Youth assessment, Department Convention assessment, National Convention assessment, and a subscription to the Buckeye Messenger. The Department per capita for each Junior member will include the Veterans Affairs and Rehabilitation assessment and the Children and Youth assessment. The Veterans Affairs and the Rehabilitation assessment and the Children and Youth assessment may be taken from the Unit Restricted funds. *(amended at Department Convention, June 26, 2010, Toledo, Ohio)*

Thirteen (\$13.00) per capita for each Senior Member and a total sum of Four Dollars (\$4.00) per capita for each Junior Member, annually for the succeeding calendar year, who are not VIM MEMBERS. The per capita for each Senior member will include the Veterans Affairs and

Rehabilitation assessment, the Children and Youth assessment, Department Convention assessment, National Convention assessment, National per capita dues, and a subscription to the Buckeye Messenger. The per capita for each Junior member will include the Veterans Affairs and Rehabilitation assessment, the Children and Youth assessment, and the National per capita dues. The Veterans Affairs and Rehabilitation assessment of seventy-five cents (\$.75) and the Children and Youth assessment of twenty-five cents (\$.25) may be taken from the Unit Restricted funds (Effective January 1, 2006)

Section 3. Annual dues shall be payable following the Convention for the next succeeding calendar year. A member failing to pay such annual dues by January thirty-first (31<sup>st</sup>) 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 member delinquent to December thirty-first (31<sup>st</sup>) of the year of delinquency shall automatically be dropped from the rolls and may not thereafter be reinstated without vote of the Unit, where the Constitution or Bylaws of the Unit requires a vote on applications for membership, and the payment of all past dues, or by reestablishing eligibility and making application as a new member.

## **ARTICLE V**

### **Buckeye Girls State**

Section 1. There shall be a Buckeye Girls State which program shall be in consonance with that of the National organization.

Section 2. There shall be a Board of Directors appointed annually by the Department President comprised of the Director of Buckeye Girls State; Director of Government; Director of Public Relations; Director of Counselors; Director of Health; Director of Music and Recreation; a Secretary-Treasurer, and the Department President and First Vice-President of the American Legion Auxiliary.

Section 3. The Board of Directors shall be responsible for all advance planning and the proceedings in all departments of Buckeye Girls State.

Section 4. The Board of Directors and all adult personnel who work at Buckeye Girls State during actual session shall be called the Administrative Staff of Buckeye Girls State.

## **ARTICLE VI**

### **Delegates and Alternates to the National Convention**

Section 1. Representation in the National Convention shall be as provided in Article VI of the National Convention.

Section 2. The National Executive Committeewoman and any National Officer from the Department of Ohio shall be delegates-at-large to the next succeeding National Convention. All Department Officers, the Delegation Chairman, National Chairmen, all Past National Officers from the Department of Ohio and any National Committee members and/or Central Division National Appointees shall be automatic Delegates to National Convention, to be ratified at the Department Convention.

Section 3. The District President in office at the time of District Summer Convention shall serve as delegate to the National Convention. An alternate to the District President shall be elected at District Summer Convention. Districts having 4000 or more members shall be entitled to one (1) delegate and two (2) alternates in addition to the District President. This delegate and alternates shall be elected at District Summer Convention and this election shall be ratified by vote at the following Department Convention.

Section 4. The remaining number of delegates to which the Department is entitled, and an alternate for each delegate shall be elected at the Department Convention. Should any delegate or her alternate, be unable to attend the Convention, the President shall appoint one of the alternates from the same District if possible.

Section 5. The immediate Past President shall act as Chairman of the Delegation to the National Convention. The Secretary-Treasurer shall act as Secretary of the Delegation to the National Convention.

Section 6. If economic conditions do not warrant sending the full number of delegates, the number sent may then be determined by the Department Finance Committee with Department Executive Committee approval.

Section 7. The National Convention Fund will provide payment for all delegates who receive allowances to the National Convention. The allowance for the outgoing President (Delegation Chairman), the incoming President, First and Second Vice President, Secretary-Treasurer, the 14 District Presidents, and the second delegate for each District with membership of 4000 or more shall be paid from the National Convention Fund.

The Registration Fee for the full delegation, including the Executive Committee, any National Officers and/or National Chairman, shall be paid from the National Convention Fund.

Section 8. Delegates to the National Convention, as specified in Section 7, shall be entitled to the National Convention allowance, provided they have attended every session of the National Convention, when not in attendance at meetings of National Committees, or unless excused by the Chairman of the delegation, and so reported to the Department Secretary-Treasurer.

Section 9. The Department shall not be responsible for any expense incurred by a National Executive Committeewoman or the Chairman of a National Committee in attendance at a National Convention.

## **ARTICLE VII**

### **Unit Organization**

Section 1. Application for a charter to form an Auxiliary Unit must be forwarded to Department Headquarters. The charter will be issued by the National organization in accordance with its Bylaws.

Section 2. Department officers only shall have jurisdiction in organizing Units.

Section 3. Each Unit, at the time of its organization, shall prepare Bylaws conforming with the National and Department Bylaws of the American Legion Auxiliary, which shall be submitted to the Department Constitution and Bylaws Chairman for approval. Any amendment to the Unit Bylaws shall also be submitted to the Department Constitution and Bylaws Chairman for approval.

Section 4. Units shall be subject to such regulations as the National or Department organization shall provide.

Section 5. A county having two or more Units may organize a County Council. It shall act as a coordinating agent for the Units in its County to promote the interests of the Department.

Section 6. Any Unit may organize a Past Presidents Parley, which shall have the status of a committee. Its purpose shall be established by National.

Section 7. A Unit Charter may be revoked, canceled, or suspended as provided in the National Bylaws. In case of revocation or cancellation of a Charter, all Unit records and funds shall be immediately forwarded to Department Headquarters.

Section 8. No person, at any time, may be a member of more than one Unit.

Section 9. The minimum membership of a Unit shall be ten (10) Senior members.

Section 10. Each Unit of the American Legion Auxiliary shall be the judge of its own membership subject to the restrictions of the Constitution and Bylaws, except that no person who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government shall be eligible to become or remain a member of the American Legion Auxiliary.

Section 11. Each Unit shall transmit annually to Department Headquarters money for coverage by the mandatory National Schedule Blanket Position bond for the loss of money securities, and other property up to \$5,000.00 which the Unit sustains through any fraudulent or dishonest act by any duly elected or appointed officer or member whose duties involve the handling of funds. By such premium payment, a County Council can also be covered.

## **ARTICLE VIII**

### **Transfer of Members**

Section 1. Any member presenting a membership card for the current year may make a request for transfer to another Unit. Upon the acceptance by the transferee Unit, the member shall be entitled to active membership in said Unit. No dues shall be transferred.

Section 2. The Unit may receive members by transfer from other Units at any time during the administrative year, in accordance with regular Unit procedures.

Section 3. A Unit member may withdraw providing her current year's dues are fully paid. Upon withdrawal, however, she shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which her dues are paid. In the event a member

wishes to remove her membership from one Unit to another during the current year it shall be done by transfer and not withdrawal.

## **ARTICLE IX Unit Officers and Elections**

Section 1. Each Unit shall elect, at a meeting in May, a President, First Vice- President, Second Vice-President, Secretary and Treasurer for a term of one year. These officers shall be installed prior to October 1<sup>st</sup>.

These officers shall not take over the duties of their Unit offices before being installed into the offices to which they have been elected.

Section 2. In order to participate in the election of Unit officers, a member shall have paid her dues for the current fiscal year within which the election is held.

Section 3. Each Unit may elect or appoint a Sergeant-at-Arms, Historian, Chaplain, and Corresponding Secretary.

Section 4. The Executive Committee of each Unit shall be comprised of the President, First Vice-President, Second Vice-President, Secretary, Treasurer, and at least three (3) other members to serve on this committee. This Committee shall act in emergencies between meetings of the Unit and may offer recommendations to be acted upon at the Unit meetings.

Section 5. The President shall appoint an Auditing Committee of three (3) members who shall audit the books of the Secretary and Treasurer. This report shall be presented for approval at a meeting prior to the installation of new officers.

Section 6. Each officer, Committee Chairman, and Committee Member of a Unit shall be a member of the Unit she is serving.

## **ARTICLE X Subsidiary Organizations**

Section 1. The Eight and Forty Departemental de Ohio, organized under and in accordance with the Bylaws of the National American Legion Auxiliary, shall submit a financial statement annually to the Department Executive Committee.

## **ARTICLE XI Fiscal Year**

Section 1. The fiscal year of the Department shall extend from August 1 through July 31.

## **ARTICLE XII Expenses**

Section 1. A monthly sum of money, to be fixed by the Department Finance Committee, to be used for administrative purposes, shall be advanced to the Department President, who in turn shall render to the Department Finance Committee, a statement showing the expenditures from

this sum for the previous month and balance on hand, these statements to be forwarded by this Committee to the Department Secretary-Treasurer for filing. At no time, however, shall the Department Finance Committee remit the advancement of more than the regular allowance for the month as fixed by the Department Finance Committee. Any balance, so advanced, remaining in the hands of the President at the end of her term of office, shall be turned back into the Department General Fund.

Section 2. The sum of \$400.00 shall be given to the Department President as reimbursement for personal expenses incurred during her term of office. (Effective 1998-99 Department Convention 1998)

Section 3. The members of the Department Executive Committee shall be allowed expenses as set each year by the Department Finance Committee and approved by the Department Executive Committee.

Section 4. The members of the Department Standing Committees shall be allowed expenses as set each year by the Department Finance Committee and approved by the Department Executive Committee.

Section 5. The District Committee Chairmen shall be allowed expenses as set each year by the Department Finance Committee and approved by the Department Executive Committee.

### **ARTICLE XIII** **Discipline**

Section 1. Unit Charters may be revoked, canceled or suspended in accordance with National Bylaws provisions in Article XI.

Section 2. Absence from two (2) consecutive meetings without notifying the Department President or Department Secretary-Treasurer shall be equivalent to resignation from membership on the Department Executive Committee.

Section 3. For willful violation of National or Department Constitution or Bylaws, or for flagrant negligence in performance of duties, or for conduct improper and prejudicial to the welfare of The American Legion Auxiliary or The American Legion, any Department officer, Department or District Committee member may be removed by a vote of two-thirds of the members present and voting at a meeting of the Department Executive Committee, provided at least fifteen (15) days written notice by the Committee and an opportunity for a hearing before it has been given to that person. Such appearance by Department or District Committee member shall be without expense to the Department.

Section 4. In a Unit, for willful violation of the National, Department, Unit Constitution or Bylaws or for conduct improper and prejudicial to the welfare of The American Legion Auxiliary or The American Legion any member may be expelled from membership or any Unit officer or any Unit committee member removed from Office by a two-thirds vote at a Unit meeting duly called for that purpose, after the member has been given at least a fifteen (15) day written notice by the Unit Executive Committee of the charges and a hearing thereon. Either party may have the right to appeal to the Department Executive Committee and then action thereon shall be final. The expense of said appeal shall be borne by the appellant.

**ARTICLE XIV**  
**Parliamentary Authority**

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised, shall be the Parliamentary authority of this Department in all matters to which they are applicable, and in which they are not inconsistent with this Constitution and Bylaws.

**ARTICLE XV**  
**Amendments**

Section 1. These Bylaws may be amended at any Department Convention by a majority vote of the delegates present and voting, provided the proposed amendment has been submitted to the Constitution and Bylaws Committee at least sixty (60) days previous to the Department Convention and submitted to the Executive Committee and mailed by the Department Secretary-Treasurer to the members of the Executive Committee and each Unit at least sixty (60) days previous to the date of the Department Convention.

Or these Bylaws may be amended at any Department Convention by a two-thirds vote of the delegates present and voting provided the proposed amendment has been submitted to the Constitution and Bylaws Committee and the Executive Committee immediately preceding or at the Convention and read at a meeting of the Convention previous to the meeting at which the vote is taken.

Section 2. These Bylaws shall be automatically amended to conform to any amendment of the National Constitution and Bylaws and Standing Rules.

AMENDED JULY 15, 2000 AT THE 2000 DEPARTMENT CONVENTION  
AMENDED JULY 13, 2002 AT THE 2002 DEPARTMENT CONVENTION  
AMENDED JULY 12, 2003 AT THE 2003 DEPARTMENT CONVENTION  
AMENDED JULY 9, 2005 AT THE 2005 DEPARTMENT CONVENTION  
AMENDED JUNE 27, 2009 AT THE 2009 DEPARTMENT CONVENTION  
AMENDED JUNE 26, 2010 AT THE 2010 DEPARTMENT CONVENTION