



AMERICAN LEGION AUXILIARY  
DEPARTMENT OF COLORADO

CONSTITUTION AND BYLAWS

STANDING RULES

Constitution and Bylaws updated September 18, 2019 to comply with  
The American Legion Auxiliary National Constitution and Bylaws  
Standing Rules amended by the Department Executive Board in May and June 2020  
Standing rules were amended on January 17, 2021

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

**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 percent Americanism;  
To preserve the memories and incidents of our associations during all wars;  
To inculcate a sense of individual obligation to the community, state and nation;  
To combat the autocracy of both the classes and the masses;  
To make right the master of might; to promote peace and good will on earth;  
To safeguard and transmit to posterity the principles of justice, freedom and democracy;  
To participate in and contribute to the accomplishment of the aims and purposes of The American Legion;  
To consecrate and sanctify our association by our devotion to mutual helpfulness.

**ARTICLE I  
NAME**

The name of this organization the American Legion Auxiliary, Department of Colorado.

**ARTICLE II  
NATURE**

**Section 1.**

The American Legion Auxiliary is a civilian service organization that supports the mission 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 or for 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 grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during any of the following periods: April 6, 1917 to November 11, 1918; and any time after December 7, 1941 or 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; and to those women who of their own right are eligible for membership in The American Legion.

## **Section 2.**

A woman who is eligible for American Legion membership is eligible to join the American Legion Auxiliary regardless of whether or not she is a member of The American Legion. However, eligibility of her female relatives (sister, mothers, direct decedents) depends upon her membership in The American Legion.

## **Section 3.**

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

A. Senior membership shall be composed of members over the age of eighteen; provided, however that a wife under the age of eighteen years, who is eligible under Section 1 of this article, shall be classified 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 members shall automatically be admitted into senior membership with full privileges.

C. Dues of both classes shall be paid annually or for life.

## **ARTICLE IV DEPARTMENT OFFICERS**

**Section 1.** Elected Officers: The department convention shall elect bi-annually a national executive committeeman (NEC); that the incoming department president will assume the position of alternate NEC; and will elect annually a department president-elect, a department vice president, a department chaplain, a department historian and a department sergeant-at-arms.

**Section 2.** Appointed Officers: The department president shall appoint the following officers who are subject to ratification by the post-convention executive board:

A. An assistant sergeant-at-arms from the convention city.

B. A parliamentarian

C. A judge advocate

**Section 3.** Salaried Officers The only salaried officer shall be the secretary treasurer. In addition, there can be a part time paid administrative assistant to the secretary treasurer, working hours and salary to be described in the budget.

**Section 4.** Terms of Office

A. The NEC shall serve from the adjournment of the national convention after the NECs election through the next two national conventions.

B. All department officers, elected and appointed, shall serve from the adjournment of one department convention to the adjournment of the next department convention.

## **ARTICLE V DEPARTMENT EXECUTIVE BOARD**

**Section 1.** Between department conventions the administrative authority of this organization shall be vested in the department executive board composed of: The department president, the department president elect, the department vice president, the department chaplain, the department historian, the department sergeant-at-arms, the national executive committeeman (NEC) and the district executive committeemen (DEC). The department secretary treasurer shall be an ex-officio member.

**Section 2.** In the event that the immediate past department president is not elected as the NEC, this officer shall be a member of the department executive board beginning after the department convention until the end of the next department convention.

**Section 3.** All past department presidents in good standing in their local unit shall be members of the department executive board without vote.

**ARTICLE VI  
DEPARTMENT EXECUTIVE COMMITTEE**

**Section 1.** The national executive committeeman, the department president, the department president elect, the department vice president, the department secretary treasurer, and two DEC's, elected from the department executive board shall comprise the department executive committee.

**Section 2.** In the event that the immediate past department president is not elected as the NEC, this officer shall be a member of the department executive committee beginning after the president's outgoing department convention until the end of the next department convention.

**Section 3.** The purpose of the department executive committee shall be to act in an advisory capacity via recommendations to the department executive board.

**ARTICLE VII  
DEPARTMENT CONVENTION**

**Section 1.** The legislative body of the American Legion Auxiliary, Department of Colorado, shall be the department convention to be held annually at the same time and place as the department convention of The American Legion.

**Section 2.** Representation at the department convention shall be by units. Each unit shall be entitled to two at-large delegates regardless of unit membership\_size. Each unit shall also be entitled to one additional delegate for each twenty-five (25) members or major fraction thereof, based on the number of members in good standing thirty days before convention. For every delegate, the unit is also entitled to alternates, the delegates and alternates are elected at unit meetings not less than thirty days prior to the department convention. Alternates shall have priority in order of their election.

**Section 3.** Each unit shall be entitled to an additional delegate-at-large for each past department president in good standing within the unit with vote to be exercised with the unit.

**Section 4.** Each unit shall be entitled to an additional delegate-at-large for each member of the department executive board in good standing within the unit, with vote to be exercised with the unit.

**Section 5.** Each qualified delegate shall be entitled to one vote. The vote of any delegate absent, and not represented by an alternate, shall be cast by the majority of the delegates present from the unit. The vote of a unit must be cast by a delegate or alternate who is a member of the unit. Proxy voting shall not be permitted.

**Section 6.** A quorum shall consist of a majority of accredited delegates registered at a department convention.

**Section 7.** Convention Committees: The department president shall, at least fifteen (15) days before the convening of each department convention, appoint the following convention committees:

- A. Committee on credentials
- B. Committee on resolutions
- C. Committee on rules and order of business
- D. Committee on appointment of delegates to the national convention

**Section 8.** Convention Planning Chairman: A Convention Planning Chairman is appointed from the Convention City and Host Unit.

**ARTICLE VIII  
MIDYEAR CONFERENCE**

**Section 1.** The Midyear Conference shall be held annually at the same time and place as the Midyear Conference of The American Legion.

**Section 2.** Representation shall be by American Legion Auxiliary members, officers, members of the Executive Board, and all Past Department Presidents.

**Section 3.**

A. The President may request standing and special committee interim reports that describe their progress in meeting their plan.

B. The Department Executive Board meets before the Midyear Conference. Agenda items at this meeting shall include but not be limited to:

1. Finance Report
2. Treasurer's Report
3. Results of all mail and electronic votes processed by the Board taken since the last meeting.
4. Actions that may have been taken by the Executive Committee since the last meeting.
5. Finance Committee appointments and the Membership Chairman appointment by the president elect.

**ARTICLE IX  
AMENDMENTS**

**Section 1.** This constitution may be amended at any Department Convention by a vote of two-thirds of the total authorized representation in attendance, provided the proposed amendments shall have been submitted through the Department Secretary-Treasurer to the Units and members of the Department Executive Board, postmarked at least thirty days prior to the convening of the Department Convention; and provided further that all proposed amendments shall be read at a regular meeting of the Convention.

**Section 2.** A proposed amendment to this constitution can originate from within a committee, a unit, a district or any two members.

**Section 3.** This constitution shall be automatically updated to conform to any changes made by the National Organization.

**BYLAWS OF THE  
AMERICAN LEGION AUXILIARY  
DEPARTMENT OF COLORADO**

**ARTICLE I  
ORGANIZATION**

**Section 1.** The American Legion Auxiliary shall be organized into districts and units. Districts shall be the same as those established and determined by The American Legion. Units shall be chartered in the manner prescribed by the national organization.

**Section 2.** Units shall hold their annual election prior to the department convention; however, such officers elected shall not assume their offices until after the department convention.

**ARTICLE II  
DEPARTMENT OFFICERS**

**Section 1.**

The department convention shall elect bi-annually by secret ballot a national executive committeeman (NEC); and annually a department president elect, a department vice president, a department chaplain, a department historian, and a department sergeant-at-arm. A majority of votes cast shall be necessary to elect. When there is but one candidate for an office, the nominee may be elected by voice vote.

**Section 2.** Term of office

A. The NEC shall serve from the adjournment of the national convention after the NECs election through the next two national conventions.

B. All department officers, elected and appointed, shall serve from the adjournment of one department convention to the adjournment of the next department convention.

**Section 3.** All department officers, members of the department executive board and members of the department committees shall be in good standing in their local unit.

**Section 4.** No member shall be eligible to serve more than one term as department president.

**Section 5.** An elected officer may be removed for failure to discharge the duties of the elected office. The officer will receive written notification by registered mail regarding the date, time and location of a formally scheduled hearing and the charge(s) against her. The hearing can be no less than 30 days from the date of notification.

**Section 6.** Vacancies

1. Department president: In the event of a vacancy in the office of the department president, the department president elect shall become president and shall assume the duties and authority of the office.

2. Department president elect: In the event of a vacancy in the office of department president elect, the department vice president shall assume the duties and authority of the office.

3. Department vice president: In the event of a vacancy in the office of department vice president, the department executive board shall fill the vacancy.

4. Secretary treasurer: In the event of a vacancy in the office of department secretary treasurer, the department executive committee shall be responsible to fill the vacancy with the approval of the department executive board.

5. Department chaplain: In the event of a vacancy in the office of department chaplain, the department executive board shall fill the vacancy.

6. Department historian: In the event of a vacancy in the office of department historian, the department executive board shall fill the vacancy.

7. Department sergeant-at-arms: In the event of a vacancy in the office of department sergeant-at-arms, the department executive board shall fill the vacancy.
8. If the unexpired term is less than six months of a year's term, said member shall be qualified to run for re-election to this office.
9. If the unexpired term is more than six months of a year's term, said officer shall be considered to have served a full term.

### **ARTICLE III DUTIES OF THE OFFICERS**

#### **Section 1. Department President:**

It shall be the duty or the department president to:

- A. Preside at all meetings of the department executive board, department executive committee, the department convention and the department midyear conference.
- B. Appoint members of standing committees and create such other committees and appoint members thereon are deemed advisable, and appoint all officers not otherwise provided for, with the approval of the department executive board.
- C. Serve as the ex-officio member of all committees, except the audit committee.
- D. Ensure that all mandates of the department convention and department executive board are executed.
- E. Serve as the only person to sign applications for charters issued by national headquarters or any other legal document pertaining to the department.
- F. Serve as the alternate national executive committeeman
- F. Perform such other duties as are incidental to the office.

#### **Section 2. Department President-Elect:**

It shall be the duty of the president elect to:

- A. Assist the department president.
- B. Perform the president's duties when the president is absent or is unable to serve as president.
- B. Assume such other duties as are assigned by the department president.
- C. Become familiar with the purpose, process and planning involved in being department president.

#### **Section 3. Department Vice President:**

It shall be the duty of the vice president to:

- A. Perform the duties of president when the president or president elect are absent or are unable to serve as the president or president elect.
- B. Assume such other duties as are assigned by the department president.
- C. Become familiar with the purpose, process, and programs of The American Legion Auxiliary .

#### **Section 4. Department Secretary Treasurer:**

It shall be the duty of the department secretary treasurer to:

- A. Keep a record of all proceedings of the department convention, the pre and post convention department executive board meetings, the midyear convention, the department executive committee meetings and all the records of the department. The minutes of the pre and post convention and midyear DEC meetings must be typed, approved, and distributed to the members of the department executive board and past department presidents within 90 days after the meetings. The department convention minutes must be typed, approved, and distributed to the members of the department executive board and past department presidents by January 1<sup>st</sup>.
- B. Distribute communications to the members including plan, calls to meetings, reports, bulletins, etc.
- C. Be the custodian of all department funds and shall place them in a depository authorized by the department executive board and be accountable for the same.
- D. Issue all authorized checks and render a full monthly financial statement to the department president, finance committee chairman and finance committee members.

- E. Provide a treasurer's report to the executive board at midyear and convention.
- F. Submit membership dues to the national treasurer at least bimonthly and to meet membership deadlines.
- G. Relinquish all moneys, vouchers, books, and records belonging to the department at completion of the term of employment or when a successor has been employed.
- H. Serve as the ex-officio member to the department executive board and ex-officio member without vote on the department executive committee and finance committee.
- I. Serve as the statutory agent of the Colorado American Legion Auxiliary Department of Colorado, Inc. and The American Legion Auxiliary Colorado Girls State.
- J. Collect and handle all funds for The American Legion Auxiliary Colorado Girls State and retain all funds in the department office.
- K. Negotiate and sign all contracts with the approval of the department executive board.
- L. Be bonded.
- M. Assume such other duties as are assigned by the department president.

**Section 5. Department Chaplain:**

It shall be the duty of the department chaplain to:

- A. Attend all executive board meetings, midyear, and convention
- B. Offer prayer at all official department meetings.
- C. Assume such duties as are incidental to the office or requested by the department president.
- D. Be responsible for the memorial services.

**Section 6. Department Historian:**

It shall be the duty of the department historian to:

- A. Attend the executive board meetings, midyear, and convention.
- B. Compile the historical records of the year and assist unit historians when requested.
- C. Assume such duties as may be required or are incidental to the office.
- D. Report to the national historian regarding the national president's visit to Colorado.

**Section 7. Sergeant-at-Arms:**

It shall be the duty of the department sergeant-at-arms to:

- A. Attend all executive board meetings, midyear and convention.
- B. Be the custodian of the colors and shall be in charge of the color detail during the presentation and retirement ceremonies of the colors.
- C. Preserve order during events
- D. Assume such duties as assigned by the department president.

## **ARTICLE IV APPOINTED OFFICERS**

**Section 1.** The assistant sergeant-at-arms shall be from the convention city and appointed by the president when the convention site is determined and assists the sergeant-at-arms.

**Section 2.** The department parliamentarian shall be appointed by the president. The parliamentarian is a consultant who advises the president, and other officers, committees, and members on matters of parliamentary procedure as described in the most current edition of *Robert's Rules of Order, Newly Revised*.

**Section 3.** The judge advocate should be a member of the Colorado Bar Association and a member of The American Legion Auxiliary or The American Legion. Requests to the judge advocate for interpretation shall be addressed to the department president and or department headquarters. The opinion given by the judge advocate shall be final and binding, unless reversed by the national judge advocate.

**Section 4.** All appointed officers shall assume the duties of their respective offices upon the adjournment of the department convention at which they were appointed and shall serve for one year or until their successors are appointed.

## **ARTICLE V DEPARTMENT EXECUTIVE BOARD**

### **Section 1. Composition**

A. The national executive committeeman (NEC), the department president, the department president-elect, the department vice president, the department chaplain, the department historian, the department sergeant-at-arms, and the current district committeeman (DEC) from each district shall be voting members.

B. In the event that the immediate past department president is not elected as the NEC, she shall be a member of the department executive board beginning after the department convention until the end of the next department convention.

C. The department secretary treasurer shall be an ex-officio member.

D. Past department presidents in good standing in their unit shall be ex-officio members without vote.

### **Section 2. Duties**

A. The administrative power for the American Legion Auxiliary, Department of Colorado shall be vested in the executive board between annual department conventions.

B. All questions concerning election, eligibility and conduct of the department officers, the national executive committeeman, and members of the department executive board shall be referred to and determined by the executive board of the department, which shall be the final authority.

### **Section 3. Regular Meetings**

A. Department convention:

1. The department president shall call a meeting of the department executive board at least twenty-four (24) hours preceding the annual department convention.

2. The newly elected department president shall call a meeting of the newly elected department executive board within twenty-four (24) hours after the adjournment of the annual department convention.

B. Department midyear conference:

The department president shall call a meeting of the department executive board within twenty-four (24) hours preceding the annual department midyear conference.

### **Section 5. Reimbursement**

The voting members, except the department secretary treasurer, shall be entitled to the usual reimbursement for attending the special meeting. If the executive board and executive committee meetings occur during either the convention or midyear Conference, the members will be paid for only one meeting.

### **Section 6. Quorum**

Nine members of the department executive board shall constitute a quorum.

### **Section 7. Electronic Meetings and Voting**

A. Midyear, preconvention, and post-convention meetings

Electronic meetings and electronic voting is not allowed.

B. Special or unscheduled meetings

Electronic meetings and voting is allowed using the technology that allows maximum participation by all members.

C. To participate in electronic meetings and voting, each member must sign a letter of agreement validating the member's willingness to participate in these meetings. This letter shall be kept on file at department headquarters.

**ARTICLE VI  
DEPARTMENT EXECUTIVE COMMITTEE**

**Section 1. Composition**

A. The national executive committeeman, the department president, the department president elect, the department vice president, and two (2) district executive committeemen elected from the department executive board shall be the voting members.

B. In the event that the immediate past department president is not elected as the NEC, the department president shall be a member of the department executive committee beginning after the department convention until the end of the next department convention.

C. The department secretary treasurer shall be an ex-officio member without vote.

**Section 2. Duties**

The department executive committee shall be responsible for the transaction of necessary business between meetings for the department executive board and or business that may be referred to it by the department executive board. The department executive committee shall make a complete report concerning its proposed actions to the department executive board for the board's information and ratification.

**Section 3. Special Meetings**

It shall be the responsibility of the department president to call special meetings upon written request from three or more department executive committee members. At least five (5) days prior notice shall be given of the meeting. In the event the department president fails to call a special meeting, the department secretary treasurer shall be authorized to do so.

**Section 4. Reimbursement**

The voting members, except the department secretary treasurer, shall be entitled to the usual reimbursement for attending the special meeting. If the executive board and executive committee meetings occur during either the convention or midyear conference, the members will be paid for only one meeting.

**Section 5. Quorum** Three voting members of the department executive committee shall constitute a quorum.

**Section 6. Electronic meetings and voting**

A. Midyear and preconvention meetings

Electronic meetings and electronic voting is not allowed.

B. Special or unscheduled meetings.

Electronic meetings and voting is allowed using the technology that allows maximum participation by all members.

C. To participate in electronic meetings and voting, each member must sign a letter of agreement validating willingness to participate in these meetings. This letter shall be kept on file at department headquarters.

**ARTICLE VII  
PROGRAMS OF THE ALA**

There shall be an American Legion Auxiliary Department of Colorado Girls State Program which shall be in compliance with that of the National Organization.

**ARTICLE VIII  
DISTRICTS OF THE DEPARTMENT**

**Section 1.** Districts shall function in accordance with the national and department constitution and bylaws and such standing rules as shall be prescribed by the department.

**Section 2.** The election of the following officers shall be by secret ballot: district executive committeeman who serves for two years. district president, district vice president, district secretary, district treasurer, district chaplain, district historian, and district sergeant-at-arms. When there is but one candidate for an office, the nominee may be elected by voice vote.

**Section 3.** District officers shall be elected at each annual district convention for a term of one year or until their successors are elected and installed.

**Section 4.** District presidents shall be eligible to serve two (2) terms consecutively.

**Section 5.** Districts within the department shall be represented by executive committeemen elected at the district convention for a period of two (2) years

A. A district executive committeeman shall be elected from each of the districts in the department of Colorado at regularly called district conventions in each district. In the even numbered years, the even numbered districts shall elect a district executive committeeman to serve for a term of two (2) years. In the odd numbered years, the odd numbered districts shall elect a district executive committeeman to serve for a term of two (2) years. The term of said district executive committeeman shall commence at the close of the department convention in the year that they are elected and shall terminate when their successors shall have been elected and installed.

B. Alternates to the district executive committeeman shall be the presidents of their respective districts or the named alternate as voted on at the district convention.

C. The allowance for attendance at the department executive board meetings at midyear conference shall be the same as that allowed the department officers. The expense of the executive committeeman to the department convention shall be paid by their respective Districts.

**Section 6. Duties of the District Executive Committeeman:** It shall be the duty of each district executive committeeman, under the direction and supervision of the department president to:

A. Assist the department president and department executive board in the performance of their duties and carrying out the auxiliary programs in the district;

B. Attend each district convention and conference;

C. Make at least one annual visitation to the units in the district with the regular visitation of the district officers; and

D. Assume such other duties as may be assigned by the department president or the department executive board.

**Section 7.** District elections shall be held prior to the department convention; however, such officers shall not assume their duties until after the department convention.

**Section 8. District Convention**

A. The district convention is the legislative body of the district, and as such may take action not in conflict with the constitution and bylaws of the national or department organization of The American Legion Auxiliary or any existing mandate of the department executive board, or contrary to any policy of The American Legion Auxiliary, department of Colorado, duly established by convention action.

B. Representation in the district convention shall be by units. Each unit shall be entitled to two (2) delegates and two (2) alternates at large and one (1) additional delegate and alternate for each ten (10) members, or major fraction thereof, the membership of each unit calculated by those whose current dues have been received at the office of the Department Secretary-Treasurer thirty (30) days prior to the meeting of said Convention. The delegates and alternates shall be elected at a Unit meeting held not less than two (2) weeks prior to the District Convention.

C. All Past District Presidents, or those who have served the equivalent thereof in any Department of The American Legion Auxiliary in good standing in their local Unit within the District, shall be delegates-at-large to all District Conventions with vote to be exercised with their Unit.

D. Voting shall be by ballot, except that when there is but one candidate it then may be by voice vote. Each accredited delegate shall be entitled to one vote. The vote of any Unit delegate absent, and not

represented by an alternate, shall be cast by the majority of delegates present from that Unit after ascertaining the vote. No proxy voting is permitted.

E. Required District assessments must be paid before a Unit is entitled to vote.

**Section 9. District Executive Committee:**

The District Executive Committee shall consist of the District Executive Committeeman, District President, District Vice President, District Secretary, District Treasurer, District Chaplain, District Historian, District Sergeant-at-Arms, immediate Past District President and a majority thereof shall constitute a quorum. Between District Conventions the administrative power shall be vested in the District Executive Committee.

**Section 10. Vacancy:** In the event of a vacancy in the office of the district president, the district vice president shall become president and shall assume the duties and authority of the office.

**Section 11. District President:**

The district president shall have the duty to:

A. Have general supervision, subject to the supervision of the department president, over all units in the district.

B. Visit each unit as often as reasonably possible.

C. Promote membership and programs of The American Legion Auxiliary.

D. Preside at the district conference and district convention and at the meetings of the district executive committee.

E. Assume such duties required by the department and district constitution and bylaws or may be required by the department president, the department executive board or the district executive committee.

F. Appoint two (2) Pages to serve at the department convention.

**Section 12. District Vice President:**

It shall be the duty of the district vice president to:

A. Assist the district president when called upon.

B. Assume the duties of the president in the president's absence.

C. Shall succeed to the office of president in case of a vacancy.

**Section 13. District Secretary:**

It shall be the duty of the district secretary to:

A. Record the proceedings of the district convention and keep all records of the district, including department and district constitution and bylaws.

B. Transmit bulletins, calls of meetings or any other literature at the request of the district president or district executive committee.

C. Provide a complete record of the year's activities to the incoming district secretary.

**Section 14. District Treasurer:**

It shall be the duty of the district treasurer to:

A. Serve as the custodian of all the funds of the district and account for the same.

B. Sign all checks, together with the president, for all authorized expenditures. c

C. Submit an annual financial report at the district convention.

D. Have and have the accounts ready for audit, listing all receipts, disbursements and other authorized payments.

E. Be bonded.

F. Notify the department secretary treasurer of the units who have failed to pay district assessments.

**Section 15.** A district may raise funds for the conduct of its activities from assessments imposed on units and fundraising projects.

**Section 16.** Each district shall hold a conference annually for the discussion and promotion of the programs of The American Legion Auxiliary; such conferences to be held at the same time and place as district conferences of The American Legion, Department of Colorado.

**Section 17.** District conventions shall be held at the same time and place as district conventions of The American Legion, Department of Colorado.

**Section 18.** Each district must file with the department secretary treasurer a copy of its constitution and bylaws. In the event of an amendment, a copy of the amendment shall be promptly filed with the department secretary treasurer to be attached to the original copy in the files.

**Section 19.** Parliamentary Authority: *“Roberts Rules of Order, Newly Revised”* shall govern on all points not covered by department and or national bylaws.

**Section 20.** The bylaws may be amended at any district convention by a vote of two-thirds (2/3) of the total authorized representation, provided that the proposed amendment shall have been submitted to each unit and members of the district executive committee, through the district secretary, 30 days prior to the convening of said district convention.

**Section 21.** The constitution and bylaws shall be automatically updated to conform to any changes made by the national and department constitution and bylaws.

**Section 22.** All district officers must be members in good standing in their local unit.

**Section 23.** All district secretaries must submit the names of newly elected district officers to the department secretary treasurer within ten (10) days after the district convention.

**Section 24.** Districts will set their own dues and/or assessments.

## **ARTICLE IX UNITS**

All unit officers must be members in good standing in their unit.

**Section 1.** Units shall be chartered by the national president and the national secretary upon receipt of the charter application properly executed with typewritten names of the applicants on the original (white sheet) and accompanied by the per capita dues and individual membership record forms.

Applications for unit charters shall be signed by the department president, the post commander and the adjutant of The American Legion. The charter shall be closed 30 days after the post commander has signed the application.

**Section 2.** With the sole exception of the Department Headquarters Unit, the minimum membership of a unit shall be ten (10) Senior members. A Department Headquarters Unit shall have no minimum membership requirement.

**Section 3.** A unit shall be given the name and number of The American Legion Post to which it is attached.

**Section 4.** 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.

**Section 5.** When a unit ceases to function, or its charter has been revoked or cancelled, the charter and all unit records and funds shall be immediately forwarded to department headquarters.

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

**Section 7.** Any member in good standing in a unit shall be entitled to transfer to another unit.

**Section 8.** Any member in good standing wishing to transfer to another unit must present to the new unit with the current membership card. Upon acceptance of the transfer applicant by the new unit, the unit secretary will complete the certificate of transfer. The member shall then be entitled to active membership in said unit. No dues shall be transferred.

**Section 9.** A unit member may withdraw providing the 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 move ALA membership from one unit to another during the current year, it shall be done by transfer and not withdrawal.

**Section 10.** All unit members are bonded by national mandate through the yearly fee paid to the department by the unit.

**Section 11.** Each unit must file with the department secretary treasurer a copy of its constitution and bylaws. In the event of an amendment, a copy of the amendment shall be promptly filed with the department secretary treasurer to be attached to the original copy in the files.

**Section 12.** Differences that may arise within any unit should first be taken up with the district executive committee and such difference should not be brought before the department executive board until it has been taken up with the district executive committee.

**Section 13.** The national judge advocate has given the opinion that a post has no power to regulate a unit, nor department of The American Legion to regulate the department auxiliary.

**Section 14.** A unit chartered during the current membership year shall have as their membership goal the number of charter members to be eligible for membership awards awarded by percentage points.

**Section 15.** All unit secretaries must submit the names of newly elected unit officers and appointed committee chairmen to the department secretary treasurer within ten (10) days after their election and installation or appointment.

**Section 16.** Any unit who does not pay the required district assessments will not have a vote at department convention.

**Section 17.** Any unit who does not pay the required department assessments due within ten (10) days of the annual department convention will not have voting privileges at the department convention. These assessments include the following: One department convention delegate fee; education assessment per senior and junior member based on the previous membership year, and the unit bond fee.

**Section 18.** Those units who have not sent their delegates list and fees to department headquarters by the deadline will not be able to vote at the department convention.

**Section 19.** Unit committee chairmen shall submit their annual reports to department Headquarters by April 15<sup>th</sup>. It shall be the responsibility of the department secretary treasurer to forward the reports to the appropriate department committee chairmen.

## **ARTICLE X FINANCE**

**Section 1.** The revenue of The American Legion Auxiliary, Department of Colorado, shall be derived from annual membership dues of senior and junior members in per capita amounts. The amounts are identified in the standing rules portion of this document. The per capita dues shall be modified by department convention delegates with a vote of two-thirds in the affirmative. Revenue may also come from assessments and such other sources as may be approved by the department convention or the department executive board.

**Section 2.** Dues shall be payable in amounts as provided in the standing rules. The annual dues shall be collected by each unit and transmitted through the department to the national treasurer. A member's status is dependent upon timely payment of dues as provided in the standing rules.

**Section 4.** With the exception of the department secretary treasurer, there shall be no salaried officers, unless otherwise provided for by the department convention. The salary for additional employees (assistant secretary treasurer) being within the adopted budget line item for salaries.

**Section 5.** All persons handling department funds shall be bonded.

**Section 6.** The fiscal year of, Department of Colorado, will be July 1 through June 30.

**Section 7.** Department credit cards – There shall be two credit cards: one for the department president and one for the department secretary treasurer. These credit cards shall only be used for authorized American Legion Auxiliary business as described elsewhere in these documents. The credit cards should remain in the physical possession of the department of Colorado office and be

locked up and securely stored except when being used for official American Legion Auxiliary business.

## **ARTICLE XI DISCIPLINE**

**Section 1. Charter Revocation:** Any Unit failing to meet the obligations imposed upon it by the constitution and bylaws or by rulings of convention or department executive board or ceasing to function from one department convention to the next as an American Legion Auxiliary Unit, or refusing to pay the per capita tax or assessments due the department and national organizations, shall, upon order of the department president, surrender its charter. Upon failure to surrender its charter, immediate steps may be taken by the department executive board for revocation of the same.

**Section 2. Charter Suspension:** The department executive board may order the suspension of a charter for a period not to extend beyond the closing of the next succeeding department convention as a disciplinary measure or pending action relative to final revocation. The department executive board after thirty days' notice and a hearing may revoke a unit charter.

**Section 3. Appeal:** American Legion Auxiliary units suffering from the revocation of their charters may appeal the decision of the department executive board to the national executive committee.

**Section 4. Confidentiality of Information:** No unit or unit member may release any confidential information that was learned during any disciplinary actions toward a member.

**Section 5. Expulsion of a Member:** For violation of the department, national constitution, or for conduct improper and prejudicial to the welfare of the auxiliary of The American Legion, any member may be expelled from membership or any officer may be removed from office by a two-thirds (2/3) vote at a unit meeting duly called for the purpose. Said expulsion or removal shall be binding only in the event said member or officer shall have been given thirty days' notice in writing by the unit executive committee of the charges and the hearing. Either party may have the right of appeal to the department executive board, or its action shall be final. The expense of said appeal shall be borne by the appellant.

**Section 6.** Expulsion from one unit does not prevent a member from applying for membership in any other Unit.

## **ARTICLE XII DELEGATES TO NATIONAL CONVENTION**

**Section 1. Department Representation:** The Department of Colorado shall be entitled to five delegates and one additional delegate for each 1500 members or major fraction thereof, whose current dues have been received by the national treasurer thirty days prior to the meeting of said convention, and one alternate for each delegate.

**Section 2.** By virtue of their office, the retiring president, the president elect, the department secretary treasurer, the incoming national executive committeeman, the incoming northwest division vice president or candidate, and the outgoing national committee chairman and appointees will be delegates to the next national convention.

**Section 3.** The national executive committeeman shall be a delegate-at-large to the national convention with vote to be exercised with the department.

**Section 4.** Each district shall elect a delegate and an alternate delegate to the national convention at their respective district conventions. The delegates shall be from the districts having the highest membership percentage of their department goal at the close of the department books. The alternates shall be from the remaining districts in order of their membership attainment.

**Section 5.** Delegates may serve as pages.

**ARTICLE XIII  
PARLIAMENTARY AUTHORITY**

The department organization shall be governed by *Roberts Rules of Order, Newly Revised*, on all points not covered by this constitution and bylaws.

**ARTICLE XIV  
AMENDMENTS**

**Section 1.** These bylaws may be amended at any department convention by a vote of two-thirds (2/3) of the total authorized representation, provided the proposed amendments shall have been submitted through the department secretary to the units and members of the department executive board, postmarked at least thirty days prior to the convening of the department convention; provided further, that all proposed amendments shall be read at a regular meeting of the convention.

**Section 2.** An amendment not having been previously read or distributed as required in Section 1 may be adopted by the unanimous vote of the convention body.

**Section 3.** A proposed amendment to these bylaws can originate from a committee, a unit, a district or at least two members.

**Section 4.** These bylaws will be automatically updated to conform to any changes made by the national organization and constitution and bylaws.

**ARTICLE XV  
DISSOLUTION**

If The American Legion Auxiliary , Department of Colorado ceases to function or its charter has been canceled by the national organization of The American Legion Auxiliary , all department records, property, and assets shall immediately be forwarded to the national organization and the national executive committee shall take all necessary and proper steps and proceedings to close the department affairs. The national executive committee may provide for such continued recognition and activities of units as it may deem proper.

**AMERICAN LEGION AUXILIARY  
DEPARTMENT OF COLORADO  
STANDING RULES**

**DEPARTMENT ORGANIZATION**

1. The headquarters of the American Legion Auxiliary, Department of Colorado shall be established and maintained in the same city as The American Legion, Department of Colorado.
2. Contact between The American Legion and the American Legion Auxiliary shall be maintained in all work which is similar, and all relations with The American Legion shall be conducted to ensure harmony.
3. The national judge advocate has given the opinion that a post has no power to regulate a unit, nor Department Legion to regulate Department of Auxiliary. (NC 1937)
4. The president elect shall plan a membership theme for the upcoming year to coordinate with the incoming national president's membership theme.

**II**

**DEPARTMENT CONVENTION**

1. The date and place of the department convention of the American Legion Auxiliary, Department of Colorado shall conform to that of The American Legion, Department of Colorado.
2. The department president shall be the chairman of the convention.
3. The department secretary shall be the permanent secretary of the convention.
4. The programs and agendas for the meetings of the executive committee, executive board, midyear conference, and department convention shall be established and distributed well in advance of each meeting. The programs, agenda, the "call" to the midyear conference and department convention must be distributed a minimum of thirty (30) days prior to the meetings.
5. There shall be the following named convention committees. The duties of the committees shall be as follows:
  - A. Committee on credentials: to pass upon the credentials of the units and to handle all matters where delegation contests arise.
  - B. Committee on rules: To formulate the rules under which the convention shall operate.
  - C. Committee on resolutions: To receive resolutions and refer them to the proper pre-convention committees; to formulate such convention resolutions not within the jurisdiction of the above committees, such as courtesy resolutions; and to report all resolutions to the convention body.
6. The department president shall appoint a department convention planning chairman, who will assist with preliminary plans and local arrangements
7. Convention book of reports: Each standing committee chairman and elected and appointed department officers shall prepare a report of their activities during the auxiliary year to be published in the convention book of reports
8. All traveling trophies awarded to units or districts at department convention will be returned to the department citations chairman at the close of the department convention. A list of the current trophies and criteria for winning each trophy can be obtained from the department office.
9. Retired trophies will be presented to the unit or district which has won the trophy for the most years.
10. All unit and district histories and chaplain's books for department convention shall be sent to the department historian or chaplain before June 1<sup>st</sup>. Districts will set their rules for judging at the district conventions following the department rules as guidelines.

### III MIDYEAR CONFERENCE

1. There shall be no raffles at midyear conference or department convention without the approval of the department president.
2. The membership luncheon shall be held at the midyear conference.
3. Candidates for a department office shall withhold announcement until the midyear conference.
4. A candidate wishing to be nominated for an elected department office may have an endorsement presented from the endorsing unit or district to the pre midyear executive board meeting and midyear conference meeting.

### IV DUTIES OF DEPARTMENT OFFICERS

In addition to the duties of the department officers as outlined in the department constitution and bylaws, officers shall be governed by the rules and regulations that follow. Officers should also reference information contained in XXIV Department General Standing Rules as well as the Procedures Manual.

All elected and appointed department officers must be members in good standing in their local units.

#### **1. Department President:**

- A. The Department President may choose a special project and shall announce it at the post convention executive board meeting.
- B. The department president shall appoint three (3) members to approve the minutes of the following meetings: pre-midyear executive board, pre-convention and post-convention executive board meetings, and department convention. The minutes of the pre-convention and post-convention and midyear meetings must be typed, approved and distributed to the executive board and past department presidents within 90 days after each meeting. The department convention minutes must be typed, approved, and distributed to the members of the department executive board and past department presidents by January 1<sup>st</sup>.

#### **2. President-Elect:**

- A. The president elect selects an advisory board of 3-5 past department presidents after the election. The purpose of the advisory board is to provide advice and counsel.
- B. The president-elect should inquire from districts and units for the names of members interested in serving on a department committee.
- C. The president elect selects a fund-raising project with the assistance of the fund-raising committee. The project is submitted to the executive board for their information and approval or in the event the project would require any "seed money" for completion. This project may be a "president's pin." Seed money not to exceed \$500.00 can be given to this project. The seed money shall be repaid to the department treasury.
- D. The president elect presents proposed finance committee appointments and membership chairman to the pre-midyear conference executive board for ratification.
- E. The president elect meets with the department American Legion senior vice commander to make all necessary plans for their year in office.
- F. As soon as the site of the department convention is announced by The American Legion, a convention chairman from the hosting unit or district is appointed. The convention chairman will act under the direction of the department president and department secretary treasurer. The chairman shall ensure that all convention positions are filled i.e. tickets, registration, and meals.

#### **3. Vice President:**

The vice president performs such duties as assigned by the department president and those listed in the constitution and bylaws and standing rules, and Procedures.

**4. Department Chaplain:**

The Department Chaplain shall:

- A. Conduct the official memorial service during the department convention in remembrance of those members who have died during the preceding year.
- B. Be responsible for invocations and benedictions at official department meetings or on special occasions as requested.
- C. Return all chaplains' books submitted for display at the department convention to the department office, unit, or district.

**5. Department Historian:**

The Department shall:

- A. Prepare an outline and judging rules for unit and district history books. The department historian shall appoint a committee to judge the history books submitted.
- B. Compile a history of the year in which the historian served and present this history to the department president.

**6. Department Sergeant-at-Arms:**

The Department Sergeant-at-Arms shall:

- A. Be the custodian of the department American and Auxiliary flags during all official department meetings and shall ensure the flags are returned to department headquarters.
- B. Oversee the color guard during the presentation and retirement of the colors.
- C. Preserve order during official department meetings and other duties as assigned by the department president.

**7. Department Assistant Sergeant-at-Arms:**

- A. The department assistant sergeant-at-arms is appointed from the unit or district hosting the department convention and is appointed by the department president.
- B. The department assistant sergeant-at-arms assists the department sergeant-at-arms with the duties during the department convention that are identified in the preceding section.

**V**

**NATIONAL EXECUTIVE COMMITTEEMAN (NEC)**

The NEC must be a member in good standing in the local Unit.

- 1. The NEC serves on the national executive board.
- 2. Travel expenses and one (1) days per diem for the NEC to attend the national executive board meeting at the National Awareness Assembly is paid by the National organization. Additional funds are paid from the Department budget at the same per diem rate as allowed by the National organization.
- 3. The NEC serves as the department national security chairman.
- 4. The NEC serves as an advisor to the district executive committeemen (DECs) and conducts an orientation session for the DECs prior to the post-convention executive board meeting at the end of the term as NEC.
- 5. The NEC attends the national auxiliary convention with funds from the national auxiliary budget.
- 6. The NEC introduces all visiting national guests to the assembly.

## **ARTICLE VI COMMITTEES**

The department president shall name such committees as are deemed advisable. All committees and committee appointees are subject to ratification of the department executive board. All members of the standing committees identified below must be members in good standing in their units.

### **Section 1. Standing Committees: One-year appointments**

Each committee shall have three members when possible.

1. Americanism
2. Auxiliary Emergency Fund
3. Department History (formerly Cavalcade of Memories, chaired by a Past Department President)
4. Children and Youth (allowed \$500 for a special project)
6. Community Service
7. Constitution, Bylaws, Standing Rules, and Procedures
8. Convention Planning Chairman works with the Department President to report and act on any requests for a well-run Convention.
9. Department President's Project
10. Distinguished Guests, comprised of Past Department Presidents
11. Junior Activities
12. Leadership
13. Legislative
14. Membership
15. National Security, the National Executive Committeeman
16. Past Presidents Parley, the Past Department President shall serve as Chairman the second year out of office
17. Past Presidents Parley Scholarship, The Past Department President shall serve as Chairman the third year out of office.
18. Poppy
19. Public Relations
20. Service to Veterans
21. Veterans Affairs and Rehabilitation

**Section 2. Advisory Committee** - The advisory committee shall provide the department president advice and counsel. In addition, the advisory committee shall provide advice as requested to all other department committee members.

### **Section 3. Standing Committees: Three-year appointments**

**1. Audit** – The department president shall appoint a new member each year to serve three years who shall serve as chairman the third year. Members should be knowledgeable about auditing procedures. Effective July 1, 2015, all committee members must complete the audit training course. The chairman must pass the audit certification test prior to their ratification as the committee chairman.

**2. Education** - The department president shall appoint a new member to serve three years who shall serve as chairman the third year. The committee shall have the full responsibility of reviewing scholarship applications, selecting the winners, and accounting for funds that are received and disbursed.

**3. Finance** – The department president-elect shall appoint a new member to serve three years who shall serve as chairman the third year and two at-large one-year members, one of whom must be a past department president. The president-elect should have the appointments ratified at the midyear conference executive board meeting. All appointees should possess financial literacy, a willingness to serve on the committee, and serve as chairman during the third year on the committee. Effective July

1, 2015, all committee members must complete the finance training course. The chairman must pass the finance certification test prior to the ratification as the committee chairman.

#### **Section 4. Standing Committees: Four year appointments**

**1. Colorado Girls State Steering Committee – (CGSSC)** consists of four members, each of whom serves a four-year term. The (incoming) Colorado Department President shall appoint a new member each year beginning in 2019. There shall be at least one Past Department President (PDP) on this committee if at all possible.

**A.** Applications to serve on the committee will be reviewed by the Colorado Girls State Steering Committee (CGSSC). Recommendations of qualified American Legion Auxiliary members will be forwarded to the incoming Department President, who will, subject to ratification by the Department Executive Board (DEB) at Department Convention on Sunday morning, appoint a member to serve on the committee for a four-year term.

**B.** The Committee will select its own Chairman.

**C.** Following the conclusion of the CGS program in June and no later than the call to order at Department Convention, the CGSSC shall recommend to the Department President their selection for the upcoming Colorado Girls State Director. The Recommended Director shall be ratified by the DEB.

**D.** The Colorado Girls State Steering Committee shall oversee the operation and management of the CGS program and insure that it complies with all required rules from National ALA as stated in the American Legion Auxiliary Girls State Program and Operations Guide.

**E.** All members of the Steering Committee must be members in good standing of the American Legion Auxiliary of Department of Colorado.

**F.** In event of an unexpected vacancy in the Colorado Girls State Steering Committee, the CGSSC will recommend a replacement to the Department President, subject to approval of the DEB.

**2. Colorado Girls State Operations Committee – (CGSOC)** shall consist of the four-member CGS Steering Committee, (each serving four-year terms), the newly appointed Colorado Girls State Director, the Assistant CGS Director, the Department Secretary/Treasurer, and one at-large member, each of whom shall serve a one-year term. All members of the CGSOC must be members in good standing of the American Legion Auxiliary, Department of Colorado.

**A.** The CGSOC at-large member will be appointed by the incoming President and ratified by the DEB at the Department Convention. She must be able to commit to serving the full week at the upcoming CGS program.

**B.** This committee shall have responsibility for organizing and preparing all phases of the upcoming Girls State Program. All funds for CGS shall go through the Department Secretary/Treasurer. All contracts shall be negotiated by the CGSOC and signed by the Department Secretary/Treasurer.

**C.** In the event of an unexpected vacancy in the Colorado Girls State Operations Committee, the Steering Committee will recommend a replacement to the Department President, subject to approval by the DEB.

**Section 5. Electronic Meetings-** Committees may conduct business via telephone and internet provided all members have an equal opportunity to hear from and communicate to everyone else. Documents may only be considered if all members receive them prior to being considered.

#### **Section 6. Removal from committees**

Any committee chairman or member who fails to discharge the duties described in these governing documents may be replaced by the department president with approval of the executive committee with written notice provided to the committee member prior to the removal from the committee.

**Section 7.** In the event the third-year member of the following committees (audit, education, and finance) is unable to assume the chairmanship, the department president shall appoint a new chairman with the approval of the department executive board.

## DEPARTMENT COMMITTEE CHAIRMEN AND MEMBERS

Department committee chairmen and members must be members in good standing in their local Units.

1. Department committee chairmen are required to keep a file containing records of their activities during the year and this file is to be turned over to their successor or the department secretary upon request for the information of the incoming chairman.
2. Department committee chairmen submitting contest entries to the national auxiliary committee chairmen shall be reimbursed for the cost of postage upon presentation of the postage receipt to the department secretary treasurer.
3. Department committee chairmen shall select first, second, and third place units and or districts to receive citations at department expense. All other citations will be at the chairman's expense.

### VIII

#### CONSTITUTION & BYLAWS, STANDING RULES, PROCEDURE MANUAL

The Constitution & Bylaws, Standing Rules, Procedure Manual Committee shall:

1. Periodically review the governing documents to ensure compliance with national governing documents.
2. Work with the department secretary treasurer to ensure that the governing documents in the office and on the department web page are accurate. Members may download and print from the web page or request a printed copy.
3. Put any submitted amendments are submitted in the proper format for consideration by the delegates at the department convention.
4. Work with the department secretary treasurer to ensure that proposed amendments are submitted to the members thirty days prior to the department convention.
5. present the proposed amendments to the constitution and bylaws to the convention delegates for their consideration.
6. present the proposed amendments to the department standing rules to the department executive board for their consideration.
7. Serve as a resource on the department governing documents for the members.
8. Review district and unit governing documents to ensure these documents at the department headquarters are current

The department constitution and bylaws, standing rules, and procedure manual shall be updated and printed every three to five years. The outgoing constitution and bylaws chairman will work with the department secretary treasurer to ensure the documents are correctly updated when amendments are approved at the annual convention. Corrected versions should be available by fall conferences.

### IX

#### AUDIT COMMITTEE

1. The basic function of the department audit committee is to examine the accounting documents and to verify that the assets and liabilities of the organization and all entities are properly maintained. Additionally, they verify the recording and administration, of all business transactions. A quarterly

financial statement shall be supplied to the department audit committee. It is suggested that the audit committee examine the bank statements quarterly which helps to expedite the annual year-end audit.

2. The department books are not to be removed from the office for audit.

## **X**

### **DEPARTMENT CONVENTION PLANNING CHAIRMAN**

1. As soon as The American Legion has announced the place of the department convention, the department president appoints a convention chairman from either the unit or district that is hosting the convention.

2. The convention chairman will assume such duties as assigned by the department president. All actions of the convention chairman and convention committee are subject to consultation and approval of the department president.

3. The convention chairman shall appoint the convention personnel necessary for the functioning of the department convention. Suggested committees may include – Convention Hall set up, registration, desk, meal tickets, and table decorations. All appointments must be approved by the department president.

## **XI**

### **DISTINGUISHED GUEST COMMITTEE**

The distinguished guest committee shall use the funds in the budget under the administrative section as follows: (See Standing Rule XVI, item 7 of Expenditures to officers, committees, and members for clarification of allowable expenses.)

## **XII**

### **EDUCATION COMMITTEE**

1. The chairman has a responsibility to administer and monitor the applications for all national and department scholarships submitted from Colorado.

2. Information concerning scholarships and judging criteria can be obtained from the department education chairman or department office.

## **XIII**

### **DEPARTMENT SCHOLARSHIPS**

When funds are available, the scholarships that are available through the department education committee are as follows:

1. Two department presidents scholarship of \$1000.00 each.
2. Three junior department scholarships of \$1000.00 each, providing these recipients have not received a national scholarship.
3. One department non-traditional scholarship of \$2000.00.

## **XIV**

### **MEMBER PER CAPITA DUES AND ASSESSMENTS**

**Section 1.** Annual dues shall be payable annually for the succeeding calendar year or for life. 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. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent to December thirty-first 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 of the unit requires a vote on application for membership, and the payment of all past dues, or re-establishing eligibility and making application as a new member.

**Section 2.** The department per capita dues for senior members shall be \$30.00 per annum (effective for the 2021 membership year) which shall include national and department per capita, and the national magazine. Dues for junior members shall be \$7.00, of which \$1.50 will be put into the junior accounts to be used for junior activities or travel expenses. The junior dues shall include national and department dues but no subscriptions to papers or magazines. The membership dues for the department headquarters Unit #211 shall be the average of the unit dues rounded up to the next dollar. Dues that have been established by a department convention shall remain in force until changed by subsequent department or national convention action.

**Section 3. Unit Assessments (Adopted during the June 29-30, 2012 department convention)**

To continue to receive packets at the fall conferences, midyear, and department convention each unit must pay the following assessments upon receipt of an invoice from the department headquarters.

- a. Education - \$0.75 ¢
- b. Unit bond of \$5.50
- c. One department convention delegate fee of \$12.00

## **XV FINANCES**

1. The finance committee shall consist of the following regular members:

A. Regular members

1. Committee chairman, usually the third-year member
2. First member, most senior member, the second year on the committee
3. Second member, newest member, the first year on the committee
- 4 At-large member – one-year term
5. At-large past department president – one-year term

B. Ex-officio members

1. Department president
  2. Department secretary treasurer, without vote
  3. Department president elect, without vote
  4. Department vice president, without vote
2. The finance committee has the authority to make adjustments of not more than \$250.00 within the budget without the approval of the executive board. (1995)
3. Units may be charged postage and handling for orders requested through the department office.
4. The department office will not order airline tickets or incur other expenses not within the budget.
5. The finance committee shall include in the annual budget a contingency fund of no less than \$500.00.
6. No financial obligations upon the department shall be incurred without the approval of the finance committee. Without the consent, the obligation cannot be assumed by the department.
7. Department executive committee, department executive board, finance committee, and audit committee members may be reimbursed at the rate approved by the DEC's.
8. Officers, committee chairmen, or official department representatives traveling on behalf of the department of Colorado will use the travel expense sheet adopted by the department and shall be submitted as soon as possible after the expenses were incurred, but before June 30<sup>th</sup>.
9. The department shall provide a corsage for female national presidents and the northwestern division vice presidents during their official visits to Colorado.

10. Complimentary tickets and courtesy gifts for midyear conference and department convention are described in the procedure manual under the courtesy meals section.

11. One hundred dollars is to be given to a junior auxiliary delegate attending to the regional junior auxiliary meeting. The money will be used to offset any expenses to attend the meeting.

12. Expenses for the incoming department president, department secretary treasurer, and incoming department membership chairman to the department leadership conference shall be paid from the allocated department budget after any national reimbursement have been applied to the total trip expenses.

13. See "Courtesy Tickets for Department Officers and National Guests" in the procedure manual to determine who receives courtesy tickets during both the midyear conference and the department convention.

## XVI

### **Financial expenditures to officers, committees, and members**

This standing rule identifies possible expenditures for department officers and standing committees. These expenditures will be only be considered if there is money in the department treasury to pay the requested expense. The finance committee should authorize the expenditures before any money is spent by the department officer or committee chairman. Requests for reimbursement are to be made on the Travel and Expense Report with attached receipts. Payment to be made after approval by the Finance Committee.

The suggested expenditures are as follows:

1. **Children & Youth Committee** for a special project up to a maximum of \$500.00
2. **Department Chairman** submitting contest entries to the National Auxiliary Committee Chairman shall be reimbursed for the cost of postage upon presentation of the postage receipt to the Department.
3. **Veterans Affairs & Rehabilitation** up to a maximum of \$200.00 to attend a National Convention and upon receipt of a report detailing the educational training received at the National Convention which will be distributed to the general membership.
5. **Children & Youth Chairman** up to a maximum of \$200.00 to attend a National Convention and upon receipt of a report detailing the educational training received at the National Convention which will be distributed to the general membership.
6. **Americanism Chairman** up to a maximum of \$200 to attend a National Convention and upon receipt of a report detailing the educational training received at the National Convention which will be distributed to the general membership.
7. **Distinguished Guest Committee**
  - a. National President Visit
    1. Hotel Room
    2. Gift or Donation to NP Project up to a \$50.00 Maximum
    3. . Banquet tickets for the National President and companion
    4. .A Poppy Corsage
  - b. Northwest Division National Vice President
    1. Hotel Room
    2. Donation up to a maximum of \$40.00
    3. A Poppy Corsage
    4. Banquet Tickets for NW Division VP and companion
  - c. Allowable committee expenses. One 1 room as needed nights for Distinguished Guest Committee Chairman or her alternate, if the national president or northwest division national vice president visits at a time other than Midyear Conference or Dept Convention. Up to two meals per day for three (3) Distinguished Guest Committee members

- 8.. **Department President's travel** up to a maximum of \$3,000.00
- 9.. **Department Executive Committee members** may be reimbursed for mileage at the rate approved by the Department Executive Board (DEB)at the rate approved by DEC
10. **Department Executive Board (DEB)members** may be reimbursed at the rate approved by DEB.
11. **Finance Committee** members may be reimbursed at the rate approved by DEB
12. **Audit Committee** members may be reimbursed at the rate approved by DEB.
13. **Incoming Department President** National reimbursement before Dept reimburses
14. **Department Secretary/Treasurer** National reimbursement before Dept reimburses up to a maximum of \$500.00
15. **Incoming Membership Chairman** National reimbursement before Dept reimburses up to a maximum of \$500.00
16. **Department Chaplain** Attends Natl Chaplain conference up to a maximum of \$500.00 and upon receipt of a report detailing the educational training received at the National Chaplain's Conference which will be distributed to the general membership.
17. **The VA&R Chairman** shall be reimbursed at the rate approved by the DEBs for one official visit to the hospitals
18. **National Convention**
  - a. Department will purchase a corsage for the outgoing President and the NEC, State Dinner Banquet tickets at National Convention shall be distributed to delegates first and pages second. Delegates must attend all assigned preconvention committee meetings and convention meetings in order to receive delegate fee reimbursement and States Banquet tickets.
  - b. Outgoing Department President's transportation and ½ of her lodging expenses paid from budgeted line item for the new administration year.
  - c. The Incoming Department President's transportation and ½ of her lodging expenses paid from budgeted line item for the new administration year.
  - d. National Executive Committeewoman (NEC) up to a maximum of \$1,500.00 The National Organization pays the travel expenses and per diem for one day for the NEC to attend the Midyear and NEC Conference. in Washington D.C. Additional lodging and expenses may be reimbursed from the Department NEC budgeted funds as per finance guidelines. The NEC attends the National Convention with funds paid by the National Organization.
19. **Auxiliary** purchase a cover for outgoing Commander.
20. **Department President Elect:** Travel expenses to be determined by the Finance Committee.
21. **Department Vice President:** Travel expenses to be determined by the Finance Committee.
22. **Department Secretary Treasurer:** Travel expenses to be determined by the Finance Committee.
23. **District Executive Committeewoman (DEC)** travel expenses:
  - a. Midyear conference. Expenses for mileage and hotel as outlined in the Department's Reimbursement Policy and attendance at the Executive Board meeting.
  - b. Convention. Expenses for travel will be paid by the individual districts according to their budget.
24. **Courtesy Tickets for Department Officers and National Guests**
  - a. **Midyear Conference – Membership luncheon**
    1. Membership chairman\
    2. President
    3. Secretary Treasurer
    4. Chaplain
    5. NEC
    6. National guest and companion
  - b. **Midyear Conference – Medial Awards Banquet**
    - 1, NEC

2. President
3. Secretary Treasurer
4. Chaplain
5. National guest and companion

**c. Department Convention – Membership Breakfast**

1. President
2. Incoming President
3. Secretary/Treasurer
4. Incoming membership chairman
5. Chaplain
6. Fourteen elected District Presidents
7. National Guest and Companion

**d. Department Convention – Past Presidents parley (Money to come out of PPP Funds)**

1. PPP Chairman
- 2.. PPP Scholarship Chairman
3. President
4. Secretary/Treasurer
5. Chaplain
6. All Past Dept Presidents in attendance
7. National Guest and Companion

**e. Department Convention – Banquet**

1. NEC
2. President
3. Secretary Treasurer
4. Chaplain
5. National Guest and Companion

26. **The Poppy poster** winners will be awarded the monetary awards identified in the budget up to a maximum of \$150.00.

27. **The Americanism Essay** winners will be awarded the monetary awards identified in the budget up to a maximum of \$150.00.

## **XVII LEADERSHIP**

1. A fee may be charged at each leadership development conference to defray the cost of the required materials that are printed by the department office or instructor.
2. Provide educational opportunities to develop leaders at the unit, district, and department level.
3. Provide educational opportunities that allow the member to enhance her knowledge of The American Legion Auxiliary history, programs, and organization.
4. Encourage the members to use American Legion Auxiliary reference documents and materials, such as the Department Operations Guide and Unit Guidebook as well as the constitution and bylaws for the unit, district, department, and national organization.
5. Offer a mentoring program, utilizing the knowledge and experiences of members that have served as auxiliary leaders beyond the unit level.
6. Provide a method of nurturing a culture of good will at all levels of the organization.

## **XVIII MEMBERSHIP COMMITTEE**

1. The membership committee encourages participation of the unit and district members in meeting the challenges for meeting membership goal set for the unit, district, and department.
2. The membership committee oversees the membership luncheon held during the midyear conference. The site and menu for the membership luncheon shall be selected and approved by the membership chairman and department president.

## **IXX NATIONAL SECURITY**

The national security chairman instructs all auxiliary members about their roles in providing national security, crime prevention, and emergency planning for natural disasters in their communities.

## **XX PARLIAMENTARIAN**

1. A parliamentarian is appointed by the department president.
2. The parliamentarian is seated near the department president and provides advice when requested to do so by the department president.
3. The parliamentarian should be familiar with parliamentary procedure, with ***Robert's Rules of Order, Newly Revised***, and the constitution and bylaws, standing rules, and procedures.

## **XXI POPPY COMMITTEE**

1. The units are encouraged to order their poppies by December 31<sup>st</sup>.
2. The unit shall submit an order blank and a check to pay for the poppies and postage to the department office.

## **XXII PUBLIC RELATIONS**

1. The public relations chairman provides the general public with education concerning the work of The American Legion Auxiliary committees in the television, radio, newspapers, and social media outlets such as face book, twitter or other outlets.
2. The public relations chairman requests that the auxiliary members send copies of any articles from the areas identified in item 1 that describe unit activities.
3. The public relations chairman maintains a scrapbook of all the newspaper articles that describe the work of The American Legion Auxiliary.

## **XXIII VETERANS AFFAIRS and REHABILITATION (VA & R) and COMMUNITY LIVING CENTERS**

1. All contributions intended for the VA Hospital and community living centers shall be sent to the department. The representatives should request the balance in the facility account before requesting funds.
2. Hospital representatives shall list supplies purchased for veterans out of moneys allotted to them on their expenditure reports. The hospital representatives shall submit itemized statements showing expenditures of all department VA Regular funds to the Finance Committee Chairman and Secretary

Treasurer on July 15<sup>th</sup>, October 15<sup>th</sup>, January 15<sup>th</sup>, and April 15<sup>th</sup> each year. All expenditures must preapproval of the department president and finance committee.

3. Hospital representatives shall send acknowledgement notes to Units for moneys contributed to the facilities caring for veterans.

4. The individual unit auxiliary member shall be responsible for purchasing the Service to Veterans or Hospital Volunteer pins.

5. The VA & R chairman shall be reimbursed at the rate approved by the DEC's for one official visit to the hospitals.

## **XXIV DISTRICTS**

Information concerning district governance is location in Bylaw Article VIII – Districts of the Department

## **XXV UNITS**

Information concerning unit governance is located in Bylaw Article IX – Units

## **XXVI NATIONAL CONVENTION**

1. The outgoing department president shall be the chairman of the national convention delegation and prior to the convention shall:

A. Call a caucus of the delegation to ascertain those in attendance.

B. Fill vacancies in the delegation from other auxiliary members in attendance and are willing to serve as a delegate.

C. When possible, appoint an alternate delegate from the same area as the delegate.

D. Advise the delegates that they must be in attendance on the convention floor to be eligible for reimbursement of delegate fees.

2. Corsages for the national convention shall be provided at department expense for the NEC and the outgoing department president.

3. States dinner banquet tickets at the national convention shall be distributed to delegates first and pages second.

4. . The national organization discourages gift giving to other NECs, and department officers. If gifts are given at the national convention, the donating member will be responsible for the expenses.

## **XXVII DEPARTMENT GENERAL STANDING RULES**

1. The names of all elected department officers must be sent to national headquarters not more than thirty (30) days after the department convention. This list shall include the name of the current department secretary treasurer.

2. The names of all department committee chairmen and correct mailing addresses must be sent to national headquarters NOT LATER THAN AUGUST 1<sup>st</sup>, so their names shall be available for the new national committee chairmen to send current materials from national headquarters.

3. As soon the national plan is published on the national website, the department secretary treasurer will notify the committee chairmen when the pertinent materials are available on the national website.

4. As soon as a copy of recommendations and resolutions adopted at the national convention is received by the department secretary treasurer, department committee chairmen will be advised of all the changes.
5. The pins for all elected and appointed department officers purchased by the department shall be passed on to their successors each year. If the pins are lost or not returned to the department the officer responsible for the loss must purchase a new pin.
6. When a candidate for a national office is presented, the department shall assume necessary expenses if approved in advance by the department finance committee and the department executive board.
7. In the event of the death of a past department president, \$25.00 shall be transferred from the past presidents parley dues account to the past presidents parley scholarship account as a memorial.

## **XXVIII AMENDMENTS**

A standing rule may be amended or rescinded by the department executive board by a majority vote if 30 days previous notice has been given. If notice has not been given a two-thirds vote is required.

## **IXXX Ethics**

When acting as agents or members of The American Legion Auxiliary, the members shall comply with national, department, district, and unit governing documents and comport themselves in such a manner that reflects positively on The American Legion Auxiliary.

The following items will serve as a guide to the individual member to describe acceptable behaviors. These items are applicable to all American Legion Auxiliary members whether they are elected to an office, appointed to a position, or employed by the organization.

All auxiliary members shall:

- A. Perform their assigned duties with honesty, and openness.
- B. Work to create an atmosphere that will build respect, creditability, and importance of The American Legion Auxiliary to the public.
- C. Be knowledgeable of all applicable federal, state, and local laws, including, but not limited to human resources, financial accountability, taxes, fundraising, trademark protection, and licensing.
- D. Comply with the regulations identified in item C.
- E. Be responsible to manage and preserve the assets and moneys and spend the moneys prudently.
- F. When requested, provide comprehensive and timely information to the public.
- G. Recuse themselves from any deliberation or voting on any business item that may benefit themselves directly or indirectly.
- H. Ensure that all fundraising events accurately reflect the mission and objectives of The American Legion Auxiliary.
- I. Recognize the values of the diverse backgrounds of the members and utilize these talents for the betterment of The American Legion Auxiliary.
- J. Be knowledgeable of these codes of ethics and shall take steps to ensure the compliance of each member. If possible, any violations of this code should be handled on a one to one basis or on the unit level.
- K. If these steps do not work, the member may report any violations to a higher authority using the "whistleblower protection".

- L. A whistleblower is any member who, in good faith, promptly reports instances of any suspected violation of this code and is protected from retaliation. The alleged violation will be investigated by the appropriate people.
- M. Any member who acts maliciously, by making known information she knows, or reasonably believes to be false, is not a whistleblower and will not be protected under the whistleblower policy.
- N. Upon election to a department office or appointment as a department committee chairman, the member shall sign the confidentiality agreement and the conflict of interest compliance statement.

**XXX  
MEETING MINUTES**

The minutes of the meetings of the board of directors, executive committee, and the annual conventions must reflect an accurate account of the business transacted during those meetings. To accomplish this goal, the following standing rules must be followed.

- 1. Tape recording
  - a. The department secretary treasurer may make a taped record of the business meeting. This recording is the property of the secretary treasurer.
  - b. This tape will assist in preparing an accurate set of minutes.
  - c. After the minutes have been approved, the tape will be destroyed or erased.

- 2. Motions or resolutions.

The exact wording of a motion or resolution shall be entered in the minutes. To aid the secretary in accomplishing this, motions and resolutions should be submitted in writing to the presiding officer and secretary treasurer.