



**DEPARTMENT OF  
NORTH CAROLINA**

**Constitution, Bylaws &  
Standing Rules**

*August 2023 Update*

**AMERICAN LEGION AUXILIARY  
Department of North Carolina**

**CONSTITUTION of the  
AMERICAN LEGION AUXILIARY  
Department of North Carolina**

<b>TABLE OF CONTENTS</b>	<b>PAGE</b>
<b>Constitution</b>	<b>2-7</b>
Preamble	2
Name	2
Nature	2
Eligibility, Membership Classes, Dues	3
Department Officers	4
Department Executive Committee	4
Department Convention	5
Delegates to National Convention	6
Amendments to Constitution	7
<b>Bylaws</b>	<b>8-19</b>
Department Organization	8
(a) Election of Department Officers	8
(b) Duties of Department Officers	9-10
Standing Committees	11-13
Special Committees	13
Division Organization	14
District Organization	14
Unit Organization and Activities	15-16
Department Headquarters Unit	16-17
Department Finances	17-18
Amendments	19
Authority	19
<b>Standing Rules</b>	<b>20-25</b>
Preface	20
Department Executive Committee	20-21
Duties of Department Officers	21-22
Duties of Appointed Department Personnel	22-23
Hospital Representatives, Chairmen of Department Committees, Parliamentarian, Sergeant-at-Arms and Assistant Sergeant-at-Arms	
Miscellaneous	23-25
Tar Heel Girls State Standing Rules	26-28
Junior Auxiliary Department Standing Rules	29-32

**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 in 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 goodwill 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 shall be American Legion Auxiliary, Department of North Carolina, Inc.

**ARTICLE II  
NATURE**

Section 1. The American Legion Auxiliary, Department of North Carolina, Inc., is a civilian patriotic service organization that supports the mission of The American Legion.

Section 2. The American Legion Auxiliary, Department of North Carolina, Inc., shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

### **ARTICLE III ELIGIBILITY**

Section 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be updated as appropriate.

Membership in the American Legion Auxiliary shall be limited to the:

- 1) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
- 2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918, and any time after December 7, 1941, who being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge;
- 3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941, who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and
- 4) to those women who of their own right are eligible for membership in The American Legion.

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

- a) Senior membership shall be composed of members aged eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
- b) Junior membership shall be composed of members under the age of eighteen (18) 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. The Department Convention shall elect annually a Department President, Department Vice President, Department Chaplain, and Department Historian.

Section 2. Vacancies of office occurring between annual conventions shall be filled by the Department President with the approval of the Department Executive Committee.

Section 3. A member shall serve as only one Department Officer in a year.

### **ARTICLE V DEPARTMENT EXECUTIVE COMMITTEE**

Section 1. Between Department Conventions the administrative power shall be vested in the Department Executive Committee, which shall be composed of the Department President, Department Vice President, three (3) Division Presidents, Department Chaplain, Department Historian, fifteen (15) District Presidents, Chairmen of Standing Committees, and all Past Department Presidents.

Section 2. The Department Executive Committee shall meet within twenty-four hours after the adjournment of the convention in the convention city and shall also meet immediately preceding the holding of the succeeding convention in the convention city. Upon reasonable notice, special meetings may be called by the Department President, or upon written request of not less than fifteen (15) members of the Department Executive Committee.

Section 3. Department Conferences shall be called at the same time The American Legion is in conference session. The Department Executive Committee shall meet prior to the Department Conference for the purpose of attending to any business deemed necessary.

Section 4. Fifteen (15) members shall constitute a quorum of the Department Executive Committee.

**ARTICLE VI  
DEPARTMENT CONVENTION**

Section 1. The American Legion Auxiliary Department Convention shall be held annually at the same time and place as the convention of The American Legion for the purpose of electing officers, receiving reports, and transacting any business as necessary.

Section 2. The Department Executive Committee shall have the authority to call and determine the place of a convention, provided notice and reason for the meeting shall be given to all Units at least thirty (30) days prior to the meeting.

Section 3. Representation in the Department Convention shall be by Units. Each Unit shall be entitled to one (1) delegate and two (2) additional delegates for each fifty (50) members or major fraction whose dues have been received in Department Headquarters thirty (30) days prior to the meeting of the convention, and to one (1) alternate for each delegate.

Section 4. All Past Department Presidents, Department Officers and Chairmen of Standing Committees shall be delegates-at-large to the Department Convention with vote to be cast with their Units providing their dues are current.

Section 5. Each 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 from their Unit. In order to have voting privilege, the Unit must pay the registration fee for the allowed delegate strength as set forth under *Section 3*.

Section 6. A quorum shall exist at Department Convention when twenty-five percent (25%) of the Units having paid membership of ten (10) or more Senior members are represented at the convention.

Section 7. Supplementary rules and regulations may be adopted by the Department Executive Committee and shall be designated as Standing Rules. These shall include rules governing the Department Convention which may be supplemented by rules for each Department Convention adopted by the Convention Delegates.

**ARTICLE VII  
DELEGATES TO NATIONAL CONVENTION**

The National Constitution prescribes that each Department shall be entitled to seven (7) delegates and one (1) additional delegate for each twelve hundred (1,200) members or major fraction thereof, whose current dues have been received by the National Treasurer thirty (30) days prior to the meeting of the convention, and to one (1) alternate for each delegate.

Section 1. Department delegates to the National Convention shall be the immediate Past Department President, Department President, Department Vice President, and the immediate Past Division Presidents. Each Division President shall have an alternate from the division they represent, said alternate to be elected at the Division Caucus. In the event the immediate Past Division President cannot serve as a delegate, the Division Caucus shall elect a delegate. Other delegates and alternates shall be elected by the Department Convention. All alternates shall serve in the order of their election.

Section 2. Each 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.

Section 3. The immediate Past Department President shall be the delegation chairman, and, in their absence, the immediate Past Department Vice President shall assume duties as chairman. In the absence of these two delegates, the delegates at National Convention shall elect their delegation chairman.

Section 4. Past National Presidents, the National Executive Committee Member, and any member serving as a National Officer shall be delegates-at-large with vote to be cast with the Department.

**ARTICLE VIII  
AMENDMENTS**

Section 1. The Constitution shall be automatically amended to conform to any amendments adopted by the National Convention.

Section 2. The Constitution may be amended at any Department Convention by a two-thirds vote of the Department Convention delegates, provided the proposed amendments have been distributed from the Department Secretary-Treasurer to all Units and members of the Department Executive Committee twenty (20) days prior to the convening of the Department Convention and provided all proposed amendments shall be read at a regular meeting of the Department Convention. Units shall be responsible for distributing the proposed amendments to their Department Convention Delegates.

Section 3. Amendments proposed after distribution by the Department Secretary-Treasurer may be adopted by a two-thirds vote of the Department Convention delegates provided they have been read at one meeting of the session prior to taking the vote.

Section 4. An amendment not having been previously read or distributed may be adopted by unanimous vote of the Department Convention delegates.

Section 5. All amendments shall go into effect upon adoption unless the amendment states a specific date.

**BYLAWS of the  
AMERICAN LEGION AUXILIARY  
Department of North Carolina**

**ARTICLE I  
ORGANIZATION**

Section 1. The American Legion Auxiliary, Department of North Carolina, Inc., shall be organized into Divisions, Districts and Units.

**ARTICLE II  
ELECTION OF DEPARTMENT OFFICERS**

Section 1. The election of the following officers shall be by secret ballot: Department President, Department Vice President, Department Chaplain, and Department Historian. 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.

Section 2. The Department Convention shall ratify the election of Division Presidents nominated at Division Meetings and elected in their respective Division Caucuses. Division Presidents shall serve one year without seniority.

Section 3. The Department Convention shall ratify the election of District Presidents nominated and elected at District Meetings and confirmed at the Convention Division Caucuses.

Section 4. There shall be a Department Secretary-Treasurer and Department Assistant Secretary to be nominated by the Department President at the Post Convention Department Executive Committee Meeting and elected by the same body.

Section 5. Officers shall serve until the close of the Department Convention. Vacancies in these offices occurring between Department Conventions shall be filled by the Department President with the approval of the Department Executive Committee.

**ARTICLE III  
DUTIES OF DEPARTMENT OFFICERS**

Section 1. Officers of the Department shall assume the duties of office immediately after the close of Department Convention.

Section 2. Department President: It shall be the duty of the Department President to preside at all meetings of the Department Convention, Department Conferences and Department Executive Committee. The Department President shall appoint a Parliamentarian, a Sergeant-at-Arms, an Assistant Sergeant-at-Arms, and members of standing committees. The Department President shall create other committees as deems advisable. All appointments shall be approved by the Department Executive Committee. The Department President shall be an ex-officio member of all committees.

Section 3. Department Vice President: It shall be the duty of the Department Vice President to be the presiding officer at a meeting of the organization in the absence of the Department President.

In the event the Department Vice President assumes the office of Department President, the Department Executive Committee shall fill the office of Department Vice President. If this term is less than six (6) months, the person so named is eligible to election by regular process to the office of Department Vice President.

In the absence of both the Department President and the Department Vice President, a chairman pro tempore shall be elected by the Department Executive Committee.

Section 4. Division Presidents: It shall be the duty of the Division Presidents to act as representatives of the Department President in all matters referred to them. They shall work with the District Presidents in the organization of new Units and shall preside at the Division Meetings in the Fall.

Section 5. District Presidents: It shall be the duty of the District Presidents to promote the work of the organization, giving particular attention to membership. They shall report accomplishments of the Units to their Division President. The District Presidents shall preside at the District Meetings in the Spring.

Section 6. Department Chaplain: It shall be the duty of the Department Chaplain to offer prayer at the opening of each day's session of the Department Convention, Department Conferences and Department Executive Committee Meetings. They shall perform divine and nonsectarian services as may be necessary and shall perform other duties as assigned by the Department President.

Section 7. Department Historian: It shall be the duty of the Department Historian to prepare for posterity the records of the Department Organization. The Department Historian shall make an annual report to the Department Convention and submit a Department History to National.

Section 8. Department Secretary-Treasurer: It shall be the duty of the Department Secretary-Treasurer to:

- a) record the proceedings of Department Conventions, Department Conferences, and Department Executive Committee Meetings.
- b) maintain records of the Department Organization.
- c) distribute reports and bulletins from Department Committee Chairmen.
- d) send out all literature and calls of meetings.
- e) be custodian of all funds of the Department Organization and account for same.
- f) sign all checks in disbursing funds.

All accounts shall be audited by a Certified Public Accountant at the close of the fiscal year.

The Department Secretary-Treasurer shall assume other duties as assigned.

Section 9. Department Assistant Secretary: It shall be the duty of the Department Assistant Secretary to receive memberships and electronically transmit to National Headquarters. They shall assist the Department Secretary-Treasurer.

Section 10. Department Sergeant-at-Arms and Assistant Sergeant-at-Arms: It shall be the duty of the Department Sergeant-at-Arms and Assistant Sergeant-at-Arms to preserve order at the Department Convention, Department Conferences and Department Executive Committee Meetings. They shall perform other duties as assigned by the Department President.

## ARTICLE IV STANDING COMMITTEES

Section 1. The Department President shall name committees, subject to the ratification of the Department Executive Committee. In case of a vacancy in a committee, the Department President shall appoint a member to fill the unexpired term, subject to the approval of the Department Executive Committee.

Section 2. Past Department Presidents can be appointed chairman of any Department committee if the majority of chairmanships are not held by Past Department Presidents.

Section 3. There shall be the following Standing Committees: Americanism, Auxiliary Emergency Fund, Children and Youth, Community Service, Constitution and Bylaws, Education, Finance, Girls State, Human Resources, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Poppy, Public Relations, State Headquarters Fund, and Veterans Affairs and Rehabilitation.

Section 4. Of the Standing Committees named in *Section 3*,

- a) Junior Activities, Leadership, and Membership shall consist of three (3) members.
- b) Americanism, Children and Youth, Community Service, Education, Legislative, National Security, Poppy, and Public Relations shall consist of at least two (2) members.
- c) Auxiliary Emergency Fund, Past Presidents Parley, and State Headquarters Fund shall consist of at least one (1) member.

Each committee member shall serve for a one-year term.

Section 5. The Constitution and Bylaws Committee shall be composed of five (5) members, including the Department Parliamentarian.

Section 6. The Finance Committee shall be composed of five (5) members. One (1) member shall be appointed each year for a four (4) year term. The fifth member shall be the immediate Past Department President who shall be appointed for one (1) year. A member of the Finance Committee, after serving two (2) consecutive terms, shall rotate off the committee for two years. The Finance Committee shall meet prior to the Department Executive Committee Meeting, or at the call of the Department President. The Committee shall oversee the financial policy

of the organization, subject to the approval of the Department Executive Committee. The Committee shall prepare an annual budget and shall supervise the expenditure of funds under this budget.

Section 7. The Veterans Affairs and Rehabilitation Committee shall consist of two (2) members: a Chairman and a Service to Veterans Director, each appointed for a one-year term.

The duties of each of these committee members are defined in the "Guide for Volunteers," published by the National Organization. The committee shall be responsible to the Department Executive Committee for the Department rehabilitation program. A budget to finance the program shall be submitted to the Finance Committee. The Department President shall appoint a Representative and one (1) or more Deputy Representatives for each of the four (4) North Carolina VA Medical Centers, each appointed for a one-year term. The duties of the representatives are defined in the "Guide for Volunteers." The representatives shall be ex-officio members of the Veterans Affairs and Rehabilitation Committee with voice, without vote.

Section 8. The Education Committee shall receive applications and determine the winner of the Nannie Norfleet Scholarship. The Finance Committee shall determine the amount of the scholarship each year.

Section 9. The Girls State program shall be administered under the Standing Rules governing Tar Heel Girls State as adopted by the American Legion Auxiliary, Department of North Carolina, Inc., and on file in the Department Headquarters. A change in the Standing Rules is subject to approval of the Department Executive Committee.

Section 10. The Department President shall appoint a Human Resources Committee composed of three (3) members which shall include one (1) chairman. Terms for each member shall be staggered for one (1), two (2), three (3) years with the chairman serving the three-year term. After serving two consecutive terms each member shall rotate off for two (2) years.

Section 11. Committees may conduct business via telephone and internet provided all members have equal opportunity to communicate with everyone and prior access to documents under consideration are available.

Section 12. A corporate Board of Directors shall serve solely for the purpose of dealing with legal affairs of the corporation and for the interest and welfare of the American Legion Auxiliary Department of North Carolina, Inc.

- a) There shall be five (5) directors: Department President, Department Vice President, and the three (3) Division Presidents, each to serve a one (1) year term.
- b) The Board shall meet in regular session prior to the Department Convention for the fiscal year of the corporation. Any other meetings may be called by the Department President. Three (3) directors shall constitute a quorum.
- c) The Department Secretary-Treasurer shall serve as Corporate Secretary.
- d) Any action of the Board of Directors is subject to the approval of the Department Executive Committee.

#### **ARTICLE V SPECIAL COMMITTEES**

Section 1. The Department President shall appoint an Advisory Committee, composed of five (5) Past Department Presidents, to act in an advisory capacity.

Section 2. A Credentials Committee, composed of five (5) members, shall be appointed by the Department President. The Department Secretary-Treasurer shall provide the Committee a certified list of delegates entitled to attend the Convention. This Committee shall prepare a report to be given when called upon.

Section 3. A Resolutions Committee, composed of five (5) members, shall be appointed by the Department President. All resolutions shall be presented to the Committee for consideration. No resolution shall be considered by the Committee unless submitted by a Unit or a Department Committee.

Section 4. A Rules Committee, composed of five (5) members, shall be appointed by the Department President. This Committee presents the rules for Department Convention procedures.

#### **ARTICLE VI DIVISION ORGANIZATION**

Section 1. The Division Meetings shall be arranged in the Fall through the consultation of the Department President, the Division President and the Unit President hosting the meeting.

Section 2. The election of Division Presidents shall be held in the Department Convention Division Caucuses.

Section 3. Each Unit in good standing with ten (10) or more Senior dues paid in Department Headquarters thirty (30) days prior to convention shall be entitled to vote at the Convention Division Caucus.

Section 4. A Nominating Committee of three (3) members shall be elected at each Division Meeting to serve for the following year.

#### **ARTICLE VII DISTRICT ORGANIZATION**

Section 1. The District Meetings shall be arranged in the Spring through the consultation of the Department President, the District President and the Unit President hosting the meeting.

Section 2. A District President shall be nominated and elected at District Meetings.

Section 3. Should a District President not be elected at the District Meeting, one shall be nominated and elected at a special Convention District Caucus to be held during the Division Caucus.

Section 4. Each Unit in good standing with ten (10) or more Senior dues paid in the Department Headquarters by February 1 shall be entitled to vote at the District Meeting.

Section 5. A quorum at District Meetings shall exist when twenty-five percent (25%) of the Units within the District are represented.

Section 6. A Nominating Committee of three (3) members shall be elected at each District Meeting to serve for the following year.



## **ARTICLE VIII UNIT ORGANIZATION AND ACTIVITIES**

Section 1. Units shall be chartered by the National President and National Secretary upon receipt of the charter application properly executed with printed names of the applicants on the original and accompanied by the per capita dues and individual membership record forms. Application for Unit Charters shall be signed by the Department President and by the Commander and Adjutant of The American Legion Post to which the Unit is attached.

Section 2. The minimum membership of a Unit shall be ten (10) Senior members.

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

Section 4. Each Unit of the American Legion Auxiliary shall be responsible for verifying eligibility and determining its membership. No person who is a member of an organization which has for its aim the overthrow of the United States Government or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or remain a member of the American Legion Auxiliary.

Section 5. Unit officers can be President, Vice President, Secretary and/or Treasurer, Chaplain, Historian, Sergeant-at-Arms, or offices as deemed necessary.

Section 6. Unit officers shall be elected annually prior to Department Convention. The officers shall assume the duties of their office following Department Convention.

Section 7. There can be an Executive Committee which shall consist of the officers and three additional members elected by the Unit.

Section 8. The annual dues of the Unit shall be determined by the Unit and shall include Department and National dues.

Section 9. No person may, at any time, be a member of more than one (1) Unit.

Section 10. Any member with current dues wishing to transfer to another Unit must present their membership card to the new Unit. Upon acceptance of the transfer application by the new Unit, the Unit Secretary will complete the Certification of Transfer on the member Data Form and send to Department Headquarters. The member shall then be entitled to active membership in the new Unit. No dues shall be transferred.

Section 11. The Department Executive Committee may suspend or revoke the charter of any Unit which violates the National Constitution and Bylaws or any specific action of the National Convention or the National Executive Committee. When a Unit has its charter revoked, or when it ceases to function, all Unit records and funds shall be immediately sent to Department Headquarters.

Section 12. The Department Executive Committee, after notice and hearing, may suspend or revoke the charter of a Unit which violates the Constitution and Bylaws of the Department. The Unit may appeal to the National Executive Committee. Units failing to have ten (10) Senior members for two (2) consecutive years shall be suspended from Convention action the first year and shall have their charter revoked the second year.

Section 13. For conduct prejudicial to the welfare of the American Legion Auxiliary or The American Legion, any member may be expelled from membership, or any officer removed from office by a two-thirds vote at a Unit meeting duly called for that purpose. The member shall have been given thirty (30) days' notice in writing of the charges and the hearings by the Unit Executive Committee. Either party may have the right to appeal to the Department Executive Committee whose decision shall be final.

## **ARTICLE IX DEPARTMENT HEADQUARTERS UNIT**

Section 1. A Department Headquarters Unit is organized to serve as a holding Unit only for those members who wish to maintain their American Legion Auxiliary membership, but who are not currently identified with a Unit. Members are not included in any Unit, District or Division membership quota.

Section 2. Members of the Department Headquarters Unit shall not have a voice or vote at any level of the organization.

Section 3. A Department Headquarters Unit shall have the same Unit number as the Department Headquarters Post. This Unit shall not require a charter, nor shall any member be considered a charter member.

Section 4. A Department Headquarters Unit shall have no minimum membership requirement.

Section 5. The yearly dues of the Department Headquarters Unit shall be determined by the Department Executive Committee and shall include Department and National dues and Veterans Affairs and Rehabilitation Fair Share.

Section 6. No member of the Department Headquarters Unit shall be a delegate nor alternate to the Department or National Convention nor be eligible to hold a Department office.

## **ARTICLE X FINANCES**

Section 1. The revenue of the American Legion Auxiliary, Department of North Carolina, Inc., shall be derived from annual membership dues and from other sources as may be determined by the Department Convention or Department Executive Committee.

Section 2. Dues shall be payable annually for the succeeding calendar year.

A member failing to pay annual dues by January thirty-first of the current membership year shall be delinquent and suspended from membership privileges. A member failing to pay dues by December thirty-first of the current membership year shall be classified as delinquent. A delinquent member may rejoin as an active member under their original membership without interruption of their continuous years, and their membership privileges reinstated, by payment of all past dues.

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

Member applications and member reinstatements may require Unit action.

Section 3. The amount of annual Department dues shall be determined by the Department Convention.

Section 4. All annual dues including National and Department dues shall be collected by each Unit and remitted to the Department Secretary-Treasurer. When National dues are increased Units shall automatically include this increase in the funds transmitted to the Department.

Section 5. Each administration shall operate on a budget prepared by the incoming Finance Committee and adopted by the Department Convention. Budget items shall be reduced if it becomes evident that anticipated revenue will not be received. Any change during the year shall be approved by the Department Executive Committee. The previous year's surplus balances in the Veterans Affairs and Rehabilitation Fund, the Children and Youth Fund, and the General Fund can be used to provide monies for the proposed budgets of these programs.

Section 6. The Headquarters Staff is bonded by a local insurance agency.

Section 7. The State Headquarters Committee shall supervise the State Headquarters Fund. This fund shall be used to purchase equipment, maintenance contracts and services.

Section 8. Department Officers, Chairmen of Standing Committees and Hospital Representatives shall be allowed expenses as specified in the adopted budget.

Section 9. The immediate Past Department President, Department President, and Department Secretary-Treasurer shall be allowed plane fare and per diem while attending National Convention as specified in the adopted budget.

Section 10. The registration fee of delegates and alternates to National Convention shall be paid by the Department. This amount shall be included in the adopted budget.

Section 11. The Department Convention and Conference registration fees shall be determined by the Finance Committee.

Section 12. The fiscal year of the Department shall close June 30.

## **ARTICLE XI AMENDMENTS**

Section 1. Amendment adopted by the National Convention. The Bylaws shall be automatically amended to conform to any amendment adopted by the National Convention.

Section 2. The Bylaws may be amended at any Department Convention by a two-thirds vote of the Department Convention delegates, provided the proposed amendments have been distributed from the Department Secretary-Treasurer to all Units and members of the Department Executive Committee twenty (20) days prior to the convening of the next Department Convention and provided all proposed amendments shall be read at a regular meeting of the Department Convention. Units shall be responsible for distributing the proposed amendments to their Department Convention Delegates.

Section 3. Amendments proposed after distribution by the Department Secretary-Treasurer may be adopted by a two-thirds vote of the Department Convention delegates provided they have been read at one meeting of the session prior to taking the vote.

Section 4. An amendment not having been previously read or distributed may be adopted by unanimous vote of the Department Convention delegates.

Section 5. All amendments shall go into effect upon adoption unless the amendment states a specific date.

## **ARTICLE XII AUTHORITY**

The authority under which this Department and Units of the American Legion Auxiliary shall function is vested in the National and Department Constitution and Bylaws and in such Standing Rules as have been adopted and set forth in the Department Constitution and Bylaws. Any Unit Constitution and Bylaws or any regulations of the Unit in conflict with the foregoing authority shall be void. All points not covered shall be governed by Robert's Rules of Order, Newly Revised.

## **STANDING RULES *of the* AMERICAN LEGION AUXILIARY Department of North Carolina**

### **PREFACE**

Standing Rules are rules and regulations for the guidance of an organization, which have been adopted by a majority vote without previous notice.

A Standing Rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote. Standing Rules are usually adopted from time to time in the form of resolutions.

### **I. DEPARTMENT EXECUTIVE COMMITTEE**

1. Members of the Department Executive Committee shall be expected to attend all meetings of the Department Executive Committee.
2. A member seeking the office of Department President, Department Vice President, Department Chaplain, Department Historian, Division President, or District President shall obtain the written endorsement of their Unit. A copy should be sent to the Department President and Department Headquarters, and to the Nominating Committee Chairman by the Division and District President candidates.
3. All annual reports should be typed and submitted to the Department President, Department Historian and Department Secretary-Treasurer to be included in the electronic yearbook.
4. All correspondence to Department Headquarters shall be answered within twenty-four (24) hours if an answer is required.
5. Bulletins sent to Units shall be in Department Headquarters by date as instructed. They shall be typed with no errors and grammatically correct.
6. Department Officers and Committee Chairs receiving budgeted monies must submit a voucher for expenses incurred in the performance of their duties as detailed in the Expense Guidelines document which is reviewed, updated, and distributed annually. They shall not receive more than the amount specified in the adopted budget.
7. The Department President's Project shall be a one-year project. The Department President's Project account must be closed by June 30.

8. Monies for the Department President's Project shall come from fundraisers at Division and District Meetings and Unit donations. District/Division Presidents shall have the option of passing the hat or conducting raffles, etc. at the District/Division Meetings. The Department Finance Committee shall have the authority to conduct fundraisers for the General Fund at conferences and conventions.
9. The minutes from the Pre-Convention and Post Convention Department Executive Committee Meetings and Department Convention shall be distributed by August 1 and approved at the Fall Conference Department Executive Committee Meeting.

The minutes of the Fall Conference Department Executive Committee Meeting and Fall Conference shall be distributed by December 1 and approved at the Mid-Winter Executive Committee Meeting.

The minutes of the Mid-Winter Department Executive Meeting and Mid-Winter Conference shall be distributed by April 1 and approved at the Pre-Convention Department Executive Committee Meeting.

The minutes shall be distributed by email or regular mail only to the members of the Department Executive Committee.

## **II. DUTIES OF DEPARTMENT OFFICERS**

In addition to the duties of Department Officers as outlined in the Department Constitution and Bylaws, they shall be governed by the following rules and regulations.

### **DEPARTMENT PRESIDENT:**

1. The Department President shall receive travel expenses as provided in the adopted budget.
2. The newly installed Department President shall conduct a Post-Convention Department Executive Committee Meeting for the purpose of the ratification of the Department Executive Committee and any other business deemed necessary. Members with a vote for this meeting will be the newly elected Department Officers and Past Department Presidents.
3. The Department President may, if needed, take an electronic vote of the Department Executive Committee.

### **DEPARTMENT VICE PRESIDENT:**

1. In the event the Department President is unable to make official visits to Units or accept invitations issued by Units, they may authorize the Department Vice President to be their official representative.
2. The Department Vice President shall serve as Department Membership Committee Chairman.

### **DIVISION PRESIDENTS:**

1. Division Presidents shall be responsible for the welfare of the Districts within their Divisions and shall preside at Division Meetings.
2. Division Presidents shall report to the Department President on Division activities.

### **DISTRICT PRESIDENTS:**

1. District Presidents shall respond to requests from their Division Presidents.
2. District Presidents shall work in close cooperation with Units.
3. District Presidents shall report on Unit activities to the Division President.

### **DEPARTMENT SECRETARY-TREASURER:**

1. The Department Secretary-Treasurer shall receive salary and travel expenses as provided in the adopted budget.
2. The Secretary-Treasurer shall be an ex-officio member of all Committees, without vote.
3. The Department Secretary-Treasurer shall attend the Department National Leadership Conference called by National.
4. The Department Secretary-Treasurer shall serve as legal agent for the Department, signing all contracts as approved by the Department Finance Committee.
5. A majority vote of the Department Executive Committee shall be required to remove either the Department Secretary-Treasurer or the Department Assistant Secretary.

## **III. DUTIES OF APPOINTED DEPARTMENT PERSONNEL**

### **1. HOSPITAL REPRESENTATIVES:**

Hospital Representatives shall be appointed by the Department President for a one-year term and ratified by the Department Executive Committee and shall be ex-officio members of the Veterans Affairs and Rehabilitation Committee with voice, without vote.

**2. CHAIRMEN OF DEPARTMENT COMMITTEES:**

- a) Chairmen of Department Committees shall be entitled to send two (2) communications on their field of work through Department Headquarters keeping them brief but informative.
- b) Chairmen are encouraged to attend District and Division Meetings.
- c) Chairmen shall report to National Chairmen as directed.
- d) Neither Veterans Affairs and Rehabilitation nor Leadership instruction shall be taught without consent of those respective chairmen.

**3. PARLIAMENTARIAN:**

It shall be the duty of the Parliamentarian to attend the Department Convention, Department Conferences and Department Executive Committee Meetings. They shall be the advisor to the Department. They shall be a member of the Department Constitution and Bylaws Committee, with voice and vote.

**4. SERGEANT-AT-ARMS:**

The Department Sergeant-at-Arms is responsible for keeping order at Department Meetings, and to advance, retire and properly preserve the flag. They shall assume other duties as requested.

**5. ASSISTANT SERGEANT-AT-ARMS:**

The Department Assistant Sergeant-at-Arms shall work closely with the Department Sergeant-at-Arms assisting to advance, retire and properly preserve the flag. They shall assume other duties as requested.

**IV. MISCELLANEOUS:**

1. The Department President's letter of endorsement should be mailed prior to Fall Conference; all other candidate endorsements should be mailed following Fall Conference. It is suggested letters be mailed to Unit Presidents and to members of the Department Executive Committee.
2. A member seeking a National office shall be endorsed at each Department Convention until time to be presented to the National Convention. The endorsement is to be sent to National Headquarters.
3. There shall not be a registration fee at District or Division Meetings.

4. There shall not be fund raising at District/Division Meetings, Conferences, nor Convention except for the Department President or Department Commander's projects, unless permission is granted by the Department Executive Committee.
5. Any member of North Carolina serving as a National Chairman shall be an automatic delegate to National Convention.
6. The Warren/Ragan Junior Scholarship Committee will consist of three (3) members, a chairman, one (1) member, and the Junior Activities Chairman, each to serve for a one-year term. The duties shall be to promote the scholarship, encourage donations and select the recipient by application process. The amount of the scholarship is to be set annually by the Department Finance Committee.
7. The National Executive Committeeperson and the Alternate National Executive Committeeperson representing North Carolina shall be elected for a two-year term. It shall be the duty of the National Executive Committeeperson to represent the Department on the National Executive Committee. They shall keep the Department informed about National activities.
8. No individual or committee can obligate or use the Department Auxiliary name without approval of the Department Finance Committee and the Department Executive Committee.
9. The North Carolina National Convention delegates and alternates shall meet after the Southern Division Caucus for the purpose of discussing the pre-convention meetings.
10. To receive reimbursement Per Diem each day at National Convention the Department President, Incoming Department President and the Department Secretary-Treasurer must be seated from the beginning to the end of each day at National Convention.
11. Delegates shall attend assigned Pre-Convention Committee Meeting, Southern Division Caucus, North Carolina Caucus and all sessions of the National Convention. Delegates with National Committee appointments may be excused from these obligations.
12. To receive reimbursement for National Convention registration, alternates shall attend assigned pre-convention meeting, Southern Division Caucus and North Carolina Caucus to give their report. Alternates with a National Committee appointment may be excused from these Obligations.
13. Expenses of a National guest will be budgeted by the Finance Committee to attend Fall or Mid-Winter Conference.

14. A five (\$5.00) fine, to be given to the Department President's Project, shall be charged a member whose cell phone rings during Department Conferences, Department Convention, Division and District Meetings.
15. The Department Officer list shall include the number of years remaining in the term of each Department Finance Committee member.
16. The Department Secretary shall erase all audio recordings of meetings once minutes have been transcribed and approved by the appropriate committee(s).
17. The American Legion Department legal counsel shall be retained as the Auxiliary Department legal counsel. Requests to the Department Judge Advocate for interpretation shall be initiated by and addressed to the Department President.
18. Should the Department President contact our Legal Counsel for guidance at any time, the Department President must share in writing the response with members of the DEC within 48 hours following their response.
19. No member or committee may change the scope of our Department Secretary-Treasurer's duties without the prior consideration and consent of the DEC.
20. An email sent from Department Headquarters must show all recipients of the email unless a member requests a receipt via blind copy. Such emails will be sent from a separate email account from the regular Department business email account.
21. The Department Finance Committee members shall not deny to any American Legion Auxiliary member, the privilege of attending regularly scheduled convention and conference Department Finance Committee meetings.
22. No Auxiliary member shall consult with or question The American Legion staff or officers on any Department American Legion Auxiliary issue without consent or knowledge of the Department President.

**AMERICAN LEGION AUXILIARY  
Department of North Carolina  
TAR HEEL GIRLS STATE  
STANDING RULES**

ALA Tar Heel Girls State shall be sponsored annually, during the public-school summer vacation period by the American Legion Auxiliary, Department of North Carolina.

**COMMISSION:**

1. The Girls State Commission shall have the responsibility of conducting the Girls State Program.
2. The ALA Tar Heel Girls State Commission shall be composed of six members to be appointed by the Department President. Of the six, the Chairman should have served at least two years, and the three other members should have served for one year on the Commission.
3. The Department President and Department Secretary-Treasurer shall be ex-officio members of the Commission.

**POWERS AND DUTIES:**

1. The Commission and the Program Director shall make plans for the promotion and program of the annual session.
  - a) The President will appoint the Program Director.
  - b) The Commission shall negotiate the physical arrangements for the program.
2. The Commission shall have the power and duty to budget and spend the Girls State Fund, to make rules and regulations governing the program and to act on any matter necessary to conduct the Girls State program, subject to the approval of the Department Executive Committee.

The Commission shall present a budget to Department Executive Committee at the annual Fall Conference. A copy will be made available to Finance Committee prior to this conference.

## BYLAWS

1. The number of delegates to ALA Tar Heel Girls State will be determined each year by the Girls State Commission.
2. Citizens shall be chosen from the rising Senior class of the high schools of North Carolina and meet the following eligibility requirements:
  - a) Applicant should be aware of the opportunities of Girls State, have a genuine interest in government and leadership, and be personally committed to improving her understanding of civic responsibilities.
  - b) The applicant **must** rank scholastically in the upper third of her class.
  - c) Applicant must be a member of the rising Senior class.
  - d) Applicant must be at least sixteen (16) years of age, a resident of North Carolina for at least one (1) year and be eligible for United States citizenship.
  - e) Applicant should be enthusiastic, cooperative, and capable of developing leadership skills.
  - f) Applicant should have outstanding personality traits such as honesty, dependability, friendliness; and maturity should be characteristic.
  - g) Applicant should be physically able to deal with a great deal of vigorous activity, including steps to climb and long distances to walk. If a handicapped student is selected who needs assistance, that student's sponsoring Unit must furnish a fulltime female aid over 21 years of age. The Sponsoring Unit shall be responsible for the aid's expenses, which include transportation, meals, and lodging.
3. The Unit Girls State Chairman shall work closely with school officials in the selection of applicants. The final selection shall be the responsibility of the American Legion Auxiliary Unit. The applicants must meet the eligibility requirements listed above. As to any questions regarding exception to eligibility, the Commission shall have the sole authority to make the final selection.
4. Applications to Girls State will be accepted provided applicant is sponsored by a Unit of the American Legion Auxiliary or co-sponsored by an organization or individual. The application must be signed by a Unit Officer or Unit's Girl State Chairman.
5. Units must order the applications by using the form supplied by Department Headquarters.
6. Orders for applications will be filled on a first come first served basis.
7. A Unit may request ten (10) applications. If additional applications are desired, the Unit will be placed on a waiting list and distribution of applications shall be determined by ALA Tar Heel Girls State Commission Chairman and Department Secretary.
8. The application must be returned by the date given on the application and must be accompanied by a check for the amount designated. No refunds will be made after April 15<sup>th</sup>.
9. The enrollment fee shall be set by the Commission, subject to approval of the Department Executive Committee.
10. The travel expenses of the Commission and Orientation leaders shall be payable from the Girls State Fund (the amount per mile will be set by the Department Finance Committee and shall be paid upon receipt of expense voucher).
11. The amount requested by the National Girls State Committee for the two Senators elected to attend Girls Nation shall be paid from the Girls State Fund.
12. The selection process for Senators to Girls Nation shall be determined by the Girls State Commission.
13. The Director or the Department Chairman may accept or reject any application for citizenship to Tar Heel Girls State.
14. The Ione Mann Award honors Mrs. Ione Mann, Past Department President (1939-40) and founder of ALA Tar Heel Girls State. It is presented to the citizen who made the most improvements as a person during the week. Purchase cost will come from the Girls State Fund. The decision of the citizen selected shall be that of the Commission members and the counselors.
15. These Bylaws may be amended by a two-thirds vote of the Commission or by a two-thirds vote of the Department Executive Committee.

**AMERICAN LEGION JUNIOR AUXILIARY**  
**Department of North Carolina**  
**STANDING RULES**

**PREFACE**

Standing Rules are rules and regulations for the guidance of an organization, which have been adopted, the same as ordinary resolutions, by a majority vote without previous notice. A standing rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote.

**I. DEPARTMENT JUNIOR MEETING**

1. The date and place of the American Legion Auxiliary Junior Department Meeting shall be determined by the Department President, Department Junior Activities Chairman, and the Honorary Department Junior President. If a regular in person meeting cannot be held, the Department President, the Department Junior Activities Chairman and the Honorary Department Junior President may call an electronic Department Junior meeting.
  - a) All members must be able to simultaneously hear others and participants.
2. Special Rules of order shall be adopted to govern such participation at no expense to the Unit. At least four (4) of the American Legion Auxiliary programs will be presented to the Junior Members.
3. The Honorary Department Junior President appoints committees that will help with the Department Junior Meeting.
4. Following installation, the newly installed Honorary Department Junior President shall conduct a Department Executive Committee Meeting for any business deemed necessary.

**II. DUTIES OF HONORARY DEPARTMENT OFFICERS**

**HONORARY DEPARTMENT JUNIOR PRESIDENT:**

The Honorary Department Junior President shall assist the Department Junior Activities Committee in planning the Department Junior Meeting. She shall preside at the Department Junior Meeting and at the Pre and Post Department Junior Executive Committee Meetings. She shall send bulletins for distribution to Department Headquarters by date instructed.

**HONORARY DEPARTMENT JUNIOR VICE PRESIDENT:**

The Honorary Department Junior Vice President shall work closely with the Honorary Department Junior President for the success of the group and shall be prepared to conduct the Department Junior Meeting in the absence of the Honorary Department Junior President.

**HONORARY DEPARTMENT JUNIOR SECRETARY:**

The Honorary Department Junior Secretary shall prepare minutes of the Department Junior Meeting and send a copy to Department Headquarters.

**HONORARY DEPARTMENT JUNIOR CHAPLAIN:**

The Honorary Department Junior Chaplain shall serve as the spiritual leader for the group and shall be prepared to offer prayers and blessings as needed for the Department Junior Meeting.

**HONORARY DEPARTMENT JUNIOR HISTORIAN:**

The Honorary Department Junior Historian shall be charged with the responsibility of recording the activities and accomplishments of the Juniors including the Junior Meeting. She shall submit a written Junior history to the Senior Southern Division National Vice President by the established deadline.

**HONORARY DEPARTMENT JUNIOR SERGEANT-AT-ARMS:**

The Honorary Department Junior Sergeant-at-Arms shall be charged to keep order at the Department Junior Meeting and to advance, retire and properly preserve the flag.

**HONORARY DEPARTMENT JUNIOR ASSISTANT SERGEANT-AT-ARMS:**

The Honorary Department Junior Assistant Sergeant-at-Arms shall be charged to work closely with the Honorary Department Junior Sergeant-at Arms to keep order at the Department Junior Meeting and to advance, retire and properly preserve the flag.

**III. CHAIRMEN OF COMMITTEES**

1. Honorary Department Junior Committee Chairmen appointed by the Honorary Department Junior President shall keep her informed on the progress of her committee.
2. Reports of the committees should be given to the Honorary Department Junior President, in writing, to be filed in Department Headquarters.



#### **IV. MISCELLANEOUS**

1. An Honorary Department Junior officer may reach age eighteen (18) before the year as an officer ends.
2. A candidate for the office of Honorary Department Junior President and Honorary Department Junior Vice President must have served their Unit as President or served as an Honorary Department Junior officer.
3. All candidates for Honorary Department Junior officers must be endorsed by their Senior Unit and a letter of endorsement sent to Department Headquarters ten (10) days prior to Department Junior Meeting. The endorsement must be read at the Department Junior Meeting.
4. No Honorary Department Junior officer may serve more than one (1) year in the same office.
5. Campaign signs must be made prior to the Department Junior Meeting. Materials will not be available at the meeting.
6. A candidate for any Honorary Department Junior officer must be in attendance at the Department Junior Meeting.
7. The Department Junior Activities Chairman shall be the counselor of all activities for the Juniors.
8. The Department President shall be the advisor to the American Legion Auxiliary Juniors on any matters not defined in the Juniors' Standing Rules.
9. Each Unit in attendance at the Junior Meeting will be entitled to three (3) votes. Juniors from each Unit will decide in advance who shall cast the three (3) votes.
10. When it becomes necessary to limit the attendance of Senior Members because of housing, the authorized Senior Members shall be:
  - a. the current Department Junior Activities Committee and the incoming Department Junior Activities Committee
  - b. the Department President
  - c. the Parliamentarian
  - d. workshop presenter
  - e. the installing officer
  - f. mother, grandmother of the current and incoming Honorary Department Junior President
  - g. one (1) Senior Advisor for each two (2) Junior members in age group 5-8
  - h. one (1) Senior Advisor for each three (3) Junior members in age group 9-17

11. All attendees must adhere to the camp's "NO SMOKING POLICY." This will include all facilities on the camp property. Violating the policy will result in the attendee being asked to leave.
12. No one shall leave the camp property under any circumstances without permission of the Junior Activities Chairman.
13. No visitor will be permitted to come onto camp property without notifying the Junior Activities Chairman.
14. Any adult attending the Department Junior Meeting must submit and pay for a background check.

#### **V. DELEGATE TO SOUTHERN DIVISION MISSION TRAINING**

1. Two delegates will attend the Southern Division Mission Training. One will be the President and the other will be an elected delegate by the attendees of the Annual Junior Meeting. The delegate will be responsible for paying for meals and transportation.
2. The registration fee for the Department Junior Auxiliary Delegate and any Honorary National Junior Officer to the Division Mission Training will be paid from the Department Junior Activities Fund.
3. A two-night stay for the Department of North Carolina Honorary Junior President to the Southern Division Mission Training shall be paid from the Department Junior Activities Fund. Airfare transportation to and from Junior President's home shall be paid from the Junior Activities Fund. Mileage to and from delegate's home will be paid from the fund. Meals for the two-day event will be covered, if not already provided by the National organization in the registration fee for the President. No funding will be provided for adult chaperones to the Junior attendee. The Honorary Junior President should be afforded the opportunity to attend Mission Training at the beginning of her tenure as President. For the Junior President to be effective, the National Junior Mission Training Program is a wonderful way for her to learn and educate herself while being with her peers. The Junior Program is self-supporting, and the funds can be made to cover this type of event.

#### **VI. AMENDMENTS**

1. These Standing Rules may be amended with the approval of the Department Executive Committee.
2. The Standing Rules shall be automatically amended to conform to any National Rules governing Junior Activities.

# **AMERICAN LEGION AUXILIARY**

## **Mission:**

In the spirit of Service Not Self, the mission of the American Legion Auxiliary is to support The American Legion and honor the sacrifice of those who serve by enhancing the lives of our veterans, military, and their families, both at home and abroad.

For God and Country, we advocate for veterans, educate our citizens, mentor youth, and promote patriotism, good citizenship, peace and security.



## **AMERICAN LEGION AUXILIARY**

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