

BYLAWS

of the

AMERICAN LEGION AUXILIARY

Department of Wyoming

2023

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BY LAWS

ARTICLE I **Organization**

Section 1. Organization in District Areas

1. The Department of Wyoming shall be organized into Six Districts which shall correspond to the Districts of The American Legion.
2. Such Districts shall be composed of Units within their respective areas. District One shall include Sweetwater, Uinta, Lincoln, Sublette and Teton Counties.
3. District Two shall include Converse, Niobrara, Platte and Goshen Counties.
4. District Three shall include Fremont and Natrona Counties.
5. District Four shall include Park, Big Horn, Hot Springs and Washakie Counties.
6. District Five shall include Sheridan, Johnson, Campbell, Crook and Weston Counties.
7. District Six shall include Carbon, Laramie and Albany Counties.

ARTICLE II **Election of Officers**

Section 1. Nominations

1. Nominations for the offices of President, Vice-President, Executive Secretary-Treasurer and National Executive Committeeperson, shall be made from the floor of Department Convention by alphabetical roll call of Units with announced candidates. Candidate for office of National Executive Committeeperson should be but not required to be, a past Department President of Wyoming and should, but are not required to announce at Mid-Winter Conference and shall be nominated from the floor of Department Convention, not less than twenty-four (24) hours prior to close of Convention. Further nominations may be made from the floor.
2. Names of members chosen by a majority vote of delegates present at their respective District Conferences shall be placed in nomination on the Convention floor for the office of District President from each of the six Districts.

Section 2. Election

1. The election of officers shall be held at the last session of Department Convention.
2. Election shall be by ballot, cast by the Chairman of each Unit delegation. In instances of one candidate running for a particular office, election shall be by acclamation.

Section 3. Ballots Unit

1. Delegation Chairman shall submit the Unit ballot for counting, after all delegates have caucused and cast their individually ballot.

Section 4. Elected

1. The candidate for each office receiving the majority number of votes shall be declared duly elected by the Department President.
2. Should more than two candidates run for a particular office, the candidate(s) receiving the lowest number of votes on the first ballot shall be dropped, leaving two candidates on the final ballot.

Section 5. Department Officers

1. Department Officers shall assume office at the conclusion of Department Convention.
2. Vacancies occurring in these offices between Department Conventions shall be filled by the Department Executive Committee.

Section 6. Elect Executive Secretary Treasurer

1. When it is necessary to elect, and begin wages for, a new Department Executive Secretary-Treasurer, they will assume that office and all duties associated with the office at the conclusion of Department Convention.
2. They will be the current Department Executive Secretary-Treasurer representing the Department of Wyoming at the succeeding National Convention.
3. No other person will act in this capacity, unless approved by the Department Finance Committee and approved by vote by the Department Executive Committee, or passed by a two-thirds vote at Department Convention.

Section 7. Good Standing

1. All Department Officers shall be in good standing in their local Units.
2. Unless the current Department and National dues of each Department Officer, National Executive Committee person and members of Department standing committees are received at Department Headquarters by December 31st of each year, such member shall be declared not in good standing and their office/position shall be declared vacated by the Department President.

ARTICLE III

Duties of Officers

Section 1. Department President

1. It shall be the duty of the Department President to preside at all meetings of the Department assembled and the Department Executive Committee.
2. To appoint members of standing committees; and to create such other committees and appoint members as they deem advisable.
3. There shall be a Chaplain, Historian, Sergeant-at-Arms, Assistant Sergeant-at-Arms,

Parliamentarian and Judge Advocate appointed annually by the Department President, subject to ratification by the Department Executive Committee.

4. The Department President shall be an ex-officio member of all committees and shall perform such other duties as are usually incident to the office.
5. They shall neither waive to the Department Executive Secretary-Treasurer or to any other person their right permitting them to sign their name to the applications for charters, nor to the charters issued by the National Organization, or to any other legal document pertaining to the Department.
6. It shall be their duty to visit officially not less than one meeting in each District during their year.

Section 2. Department Vice-President

1. When called upon, they shall assist the Department President and, in their absence, perform their duties;
2. They shall succeed the President in office in case of death, resignation or removal.
3. In the event the Vice-President must succeed to the presidency and if they should so desire, can succeed themselves by being elected to the office of President the following year.

Section 3. Department Executive Secretary-Treasurer

1. The Executive Secretary-Treasurer shall be bonded, such bond being available through an independent Insurance Agency, to be renewed each year upon election of the Executive Secretary-Treasurer.
2. They shall be competent and salaried.
3. It shall be their duty to record minutes or proceedings of Department meetings; keep all records of the Department organization in their possession, or in the Department office at all times, not allowing removal of the secretary's or treasurer's books as they are the only legal records of the Department, excepting for annual audit or in case of a special audit.
4. Care for the archives of the Department; transmit reports and bulletins of all Department Officers, standing committees; Department Committees send out all literature and calls of meetings; keep all books necessary to execute the work of the office.
5. Make annual report to the Department Convention regarding their activities; and issue a printed summary of Department Convention proceedings.
6. They shall be custodian of the funds of the Department; give a report at each meeting of the Executive Committee and annual report at Department Convention; make monthly financial report to the Finance Committee.
7. They shall submit Department financial records to an accredited accountant or bookkeeper for audit within fifteen days of fiscal year-end, with financial records being returned to the Department office within three months and reports of same furnished to Finance Committee members and the outgoing Department President and one copy remaining in the Department Executive Secretary-Treasurer's office.

Section 4. Department Chaplain

1. It shall be the duty of the Department Chaplain to offer prayer at the opening and closing of each Department function.
2. They shall conduct the memorial service at Department Convention.
3. The Chaplain shall maintain an accurate record of the deaths which occur among Unit members in the Department.
4. They shall send a get-well card to any member reported ill. They shall send a sympathy card to the head of the family of a deceased member.

5. They shall perform such other duties as the Department President may direct.

Section 5. Department Historian

1. It shall be the duty of the Department Historian to compile the historical records of the Department of Wyoming from reports received from Department Chairmen.
2. The Department Historian shall submit to the National Historian and Department a condensed history of the year's activities as approved by the Department President and Department Secretary-Treasurer.
3. They shall serve as an ex-officio member of the History Committee

Section 6. National Executive Committeeperson

1. The National Executive Committeeperson shall give a full report of National Executive Committee meetings at the Department meeting following the National meeting.
2. It shall be the duty of the National Executive Committeeperson to fulfill the responsibilities of the national executive committee and to articulate the organization's mission accomplishments, and goals to the public and to their Department.

Section 7. Alternate National Executive Committeeperson

1. It shall be the duty of the Alternate National Executive Committeeperson when called upon to assist the National Executive Committeeperson and, in their absence, perform their duties.
2. The current Department President will serve as the alternate National Executive Committeeperson. (Effective July 1, 2023)
3. Alternate National Executive Committeeperson shall succeed the National Executive Committeeperson in case of death, resignation or removal.

Section 8. District President:

1. They shall act as advisory heads of their respective Districts, keeping in touch with all Units creating closer cooperation, keeping Department informed as to Unit activity and progress and promoting the organization of new Units.
2. They shall be a member of the Department Executive Committee.
3. They shall preside over their District Conference and serve as Chairman of District caucuses held during Department meetings.
4. They shall disperse District funds.
5. They shall appoint a District Secretary.
6. They shall be required to submit annually to the Department a complete financial statement of all District monies.
7. They shall perform any other duties pertaining to their office.

Section 9. District Vice-President:

1. It shall be the duty of the elected District Vice-President when called upon to assist the District President and, in their absence, perform their duties.
2. The District Vice-President shall succeed the District President in case of death, resignation or removal.

ARTICLE IV

Department Executive Committee/Corporate Directors

Section 1. Role: of the Department Executive Committee/Corporate Directors

1. The Department Executive Committee shall serve as the governing body of the organization with fiduciary, policy, and strategic responsibility for the organization between Department Conventions.
2. It shall be the duty of the Department Executive Committee, as corporate Directors for the Wyoming American Legion Auxiliary to ensure that the organization has adequate resources to fulfill its mission.
3. The Department Executive Committee is responsible for the Organization's adherence to legal standards and ethical norms.

Section 2. Authority of the Department Executive Committee

1. The Department Executive Committee shall adopt the annual budget for the Department organization, adopt policies and standing rules, unless otherwise noted in the Department Constitution, these bylaws or standing rules, strategy, plans and agreements and memorandums of understanding, and accept the department annual audit, ratify committees, confirm committees and other department appointments, and confirm the appointment of officials, not otherwise provided for in these bylaws, levy assessments as needed, ratify the cancellation of charters, and other duties and responsibilities that are the normal function of a corporate board of directors.
2. All questions affecting the election, eligibility, conduct, and capacity of Department officers shall be referred to and determined by the Department Executive Committee.
3. The Department Executive Committee shall be responsible for establishing the process and procedure for making a determination that a Department Officer or a Department Committee member serving a single or multiple year term is incompetent, incapacitated or otherwise unable to discharge the duties of the Department Office.
4. All questions affecting the election, eligibility, conduct, and capacity of National Executive Committee person of Department of Wyoming or the Department officers or members of Department executive committee's shall be referred to and determined by the Department Executive Committee, governing board of the Department, which shall be the final authority thereon. The rules governing the fulfillment of this section shall be as provided in the standing rules.

Section 3. Meetings

1. There shall be not less than two (2) regular meetings of the Department Executive Committee annually.
2. The first regular meeting shall be held in the convention city no later than twenty-four (24) hours after the adjournment of Department Convention.
3. The last regular meeting to be held within the twenty-four (24) hours preceding Department Convention.
4. The Two (2) regular meetings shall be at the call of the Department President at a time and place as they may designate.
5. The Department President shall call a special meeting upon written request of three (3) members of the Department Executive Committee.

Section 4. Quorum

1. Twelve (12) members with vote shall constitute a quorum of the Department Executive Committee.

Section 5. Absence of both President and Vice President

1. 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 6. Assessment

1. The Department Executive Committee by a two-thirds vote may levy an assessment not to exceed fifty cents per member.

ARTICLE V

Chairman and Committees

Section 1. Appointment of Chairman Committees

1. The Department President shall name such committees as they shall deem advisable, subject to ratification of the Department Executive Committee.
2. Any member in good standing may hold a Department Chairmanship.
3. All Department standing committees shall promote activities within the Department as outlined by the respective National Committee.
4. Each committee shall report bi annually to the corresponding National Committee.
5. Chairman and Vice Chairman, are appointed for one year terms by the Department President and subject to ratification by the Department Executive Committee.
6. The Chairman and members of committees shall serve until the adjournment of Department Convention following their appointments
7. The Department Convention Chairman should be a Past Department President and, whenever possible, a member of the host Unit.
8. The Department Convention Committee Chairman shall appoint the necessary local committees to serve under their direction
9. Meetings of all appointed committees shall be arranged to conform to the convenience of the Department President to enable their attendance as an ex-officio member

Section 2. Committees

A. Department Core Standing Committees

There shall be the following Department Core standing committees

- | | |
|--|---------------------------|
| 1. Veterans Affairs and Rehabilitation | 5. Membership |
| 2. Children and Youth | 6. Constitution & By-Laws |
| 3. Americanism | 7. Finance |
| 4. National Security | 8. Audit |

And other mission and member/organizational support committees as provided in the Standing rules.

B. Department Committees

There shall be the following Department Committees

- | | |
|-----------------------------|---------------------------|
| 1. Auxiliary Emergency Fund | 7. Legislative |
| 2. Community Service | 8. Poppy |
| 3. Education | 9. Public Relations |
| 4. Girls State | 10. Department Convention |
| 5. Junior Activities | 11. Ad Hoc |
| 6. Leadership | |

And other mission and member organizational support committee as provided in the Standing rules.

ARTICLE VI **Subsidiary Organizations**

Section 1.

1. All subsidiary organizations of the American Legion Auxiliary shall be subject to regulations by action of the Department Convention or the Department Executive Committee.

Section 2.

1. All subsidiary organizations of the American Legion Auxiliary shall have Department dues not in excess of Department dues of the American Legion Auxiliary and are required to submit a complete financial statement of receipts and expenditures with the Department Secretary-Treasurer and the Department Finance Committee prior to the Finance Committee's pre-convention meeting.

ARTICLE VII **District**

Section 1. District Conference

1. An annual District Conference shall be held in each District not less than thirty days prior to Department Convention for the purposes of receiving Unit reports, nominating candidates for District President and District Vice-President and the transaction of such other business as may pertain to District organization.

Section 2. A quorum

1. A quorum shall exist at the District Conference when 40% of the Units of the District are present
2. In case a quorum is not reached, another Conference shall be called for the purpose of nominating a District President and a District Vice-President.

Section 3 Candidates, Nominations, Voting

1. All Units having candidates for the District Presidency and/or the District Vice-Presidency should notify the District President prior to District Conference.

2. All nominations shall be made from the floor at District Conference by the Units wishing to submit a nominee.
3. The roll of all Units shall be called and those Units submitting nominations shall present the qualifications of their respective nominees.
4. Voting shall be by ballot if more than one nominee is presented. A majority of all votes cast shall be necessary to elect the Vice-President and a majority vote shall select the Presidential nominee to be elected at Department Convention.

Section 4. Elect District Officers

1. The nominee for District President will be elected at Department Convention.
2. The nominee for District Vice-President will be elected at District Conference.
3. Both officers will be installed at Department Convention.

ARTICLE VIII **Unit Organization**

Section 1. Form Unit

1. Those who desire to form a unit shall apply to the post to which it will attach to in the Department.
2. Upon receipt of a properly executed charter application from National, the unit charter shall be signed by the Department President and Department Secretary.

Section 2. Membership in Unit

1. The minimum membership of a Unit shall be ten new senior members. Each member shall submit a properly executed application for membership.
2. No person may be a member of more than one Unit.
3. A Unit member may withdraw providing their current dues are fully paid. Upon withdrawal they shall be prohibited from joining any other Unit as a new member during the remainder of the current year for which dues are paid. In the event a member wishes to remove their membership from one Unit to another during the current year, it shall be done by transfer and not by withdrawal

Section 3. Name for Unit

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

Section 4. Constitution

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

Section 5. Surrender Charter

1. Any Unit failing to meet the obligation imposed on it by Department Constitution and Bylaws, rulings of Convention, the Department Executive Committee, ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit, refusing to pay Department and National dues, shall surrender its charter, upon order of the Department President.
2. Failing to surrender such charter will result in the Department Executive Committee taking action to revoke the charter.
3. When a Unit ceases to function or its charter has been revoked or canceled, the Charter and all Unit records and funds shall be immediately forwarded to Department Headquarters.

Section 6. Transfer

1. Any member in good standing wishing to transfer to another Unit must present their current membership card to the new Unit. Upon acceptance of the transfer application by the new Unit, the Unit secretary will complete the proper forms required by National. They will then be entitled to active membership in the new Unit. No dues shall be transferred.

Section 7. Officers

1. Each Unit shall have a President, one or more Vice-Presidents, a Secretary, a Treasurer or a Secretary-Treasurer, a Chaplain, a Historian, an Executive Committee and such other officers as the required Unit Constitution may prescribe.
2. These officers must be Unit members in good standing.

Section 8. Elect Officers

1. Unit officers shall be elected in May and installed prior to Department Convention.
2. Department and National dues of all Unit officers must reach the Department Secretary-Treasurer not later than December 31; unpaid officers shall be declared not in good standing.

Section 9. Meetings

1. Unit should hold at least one business session in each of ten months and shall make a full report to the annual District Conference.

Section 10. Committees

1. Units shall have committees to correspond with Department standing committees.
2. Each Unit committee shall make biannual report to its respective Department Chairman.

Section 11. Unit Funds

1. All of a Unit's funds must be kept in one account known as the "General Fund".
2. All funds earmarked for special projects must be carried under the general fund heading in a separate column.
3. Poppy money also must be kept in the final accounting of "general fund".
4. Savings accounts, CD's, bonds and etc., must be listed under whatever project or program they are being saved for, and must be included in all financial reports.

5. Units should have at least a minimum of two signature card signers on all Unit banking accounts. Signers must be members in good standing of Unit.

Section 12.Bonded

1. The Secretary and/or Treasurer of the Unit shall be bonded, such position bond being available through National Headquarters.

ARTICLE IX **Finance**

Section 1.Revenue

1. The revenue of the Department of Wyoming shall be derived from the annual membership dues of senior and junior members and from such other sources as may be approved by the Department Executive Committee.
2. The annual Department and National dues shall be collected by each Unit and transmitted to the Department Executive Secretary-Treasurer.

Section 2.Dues

1. Dues shall be payable annually for the next ensuing calendar year or for life.
2. A member failing to pay such annual dues by January 31st shall be classified as delinquent and shall be suspended from all membership privileges, provided that they are notified in writing by the Unit Secretary prior to suspension of privileges. After suspension, payment of back dues shall reinstate such member to active membership

Section 3.Authorization

1. Department funds shall be issued by the Department Executive Secretary-Treasurer
2. All other disbursements, not within the budget, must be authorized by the Department Finance Committee, Executive Committee or by vote at a Department Convention.
3. All expenses must be listed in a monthly finance statement and be presented to the Department Finance Committee.
4. Should the Department Executive Secretary-Treasurer be unable to disperse the finances of the Department, the Department Finance Chairman or Department President shall assume that responsibility.

Section 4.Signature Cards

1. The Department of Wyoming will have three (3) signers on all accounts which are under the name American Legion Auxiliary Department of Wyoming.
2. The three signature card signers shall be the current Department President, Executive Secretary-Treasurer and the Chairman of the Finance Committee.
3. Signature cards shall be changed each year no later than thirty days following the installation of new officers at Department Convention.

Section 5.Salaries

1. With the exception of the Department Executive Secretary-Treasurer there shall be no salaried officers.
2. The salary of the Department Executive Secretary-Treasurer shall be recommended by the Department Finance Committee to the Department Convention.

Section 6.Authorized of expenses of officers

1. The necessary expenses incurred by Department Officers and Chairmen of standing committees in the exercise of their services and duties to the Department of Wyoming may be paid from the Department treasury by order of the Department Executive Committee.
2. The incoming President, the incoming Vice President and the Department Secretary-Treasurer to the Department Leadership National Conference shall be authorized each year by the Department Finance Committee.

Section 7.The Fiscal Year

1. The fiscal year of the Department shall be from July 1 to June 30 of the following year.

Section 8.Department of Wyoming's (bond policy)

1. The Department of Wyoming Chairmen are automatically covered under the Department of Wyoming's bond policy.

ARTICLE X

National Convention

Section 1. (Delegates/ Officers)

1. By virtue of their offices, the retiring Department President, the incoming Department President and the Department Executive Secretary-Treasurer are automatically elected delegates to National Convention
2. The retiring President shall serve as Delegation Chairman.
3. The necessary expenses of the retiring Department President, the incoming Department President and the Department Executive Secretary-Treasurer to National Convention shall be authorized by the Department finance committee yearly

Section 2. (Voting for Delegates Department)

1. Department delegates to National Convention shall be nominated from members registered at Department Convention, from the floor of Department Convention.
2. Nominations shall be submitted by the Unit delegation chairman during an alphabetical roll call of Units.
3. Ballots listing the nominees shall be distributed to each registered delegate. Each delegate shall be entitled to vote for the required number of National delegates.
4. The National Convention delegates shall be elected, in order, by the number of legal votes received by each candidate, the highest votes being first, and so forth, until all delegate positions are filled, with remaining candidates filling the alternate positions.

Section 3.Attendance

1. Delegates to National Convention must attend all sessions of the Convention when not attending meetings of the National Convention Committees.

Section 4.Alternates

1. Alternates to National Convention should attend sessions when requested to do so by a delegate

Section 5.Expenses

1. The National Convention expenses of the Department organization shall be paid from the Department treasury.
2. Delegates and alternates to National Convention shall pay their own registration fees

ARTICLE XI **Discipline**

Section 1.

1. After notice and hearing, the Department Executive Committee may cancel, suspend or revoke the charter of a Unit which violates National and/or Department constitutions, fails to discipline any of its members for any such violations or ceases to function from one Department Convention to the next as an American Legion Auxiliary Unit.

Section 2.

1. The hearing and trial of any cause involving the cancellation, suspension or revocation of the charter of any Unit of the Department shall be held under rules of procedure to be adopted by the Department Executive Committee.

Section 3.

1. Upon suspension of the charter of any Unit of the Department of Wyoming, the Department Executive Committee is authorized, empowered and directed by and through its duly authorized agents to take possession, and control of all records, property and assets of and belonging to such Unit and to provide for the government and administration of such Unit during suspension.

Section 4.

1. To take all necessary and proper steps and procedures to terminate and close the affairs of that Unit. Upon notification of cancellation or revocation of the charter, the Unit shall have thirty (30) days to surrender all records, property and assets to the Department Executive Secretary-Treasurer's office.

Section 5.

1. The Department Executive Committee shall have the power to remove from office for good cause any officer in the Department Auxiliary after a fair and impartial hearing on the charges brought against such officer.

Section 6

1. Discipline of members shall be at the discretion of the Unit to which they belong after a fair and impartial hearing on the charges brought against the member.

ARTICLE XII **Oath of Office**

Section 1.

1. All elected Department Officers and Executive Committeewomen shall declare upon their honor they will maintain the Constitution of the Department, conform to its Bylaws and Rules, and use their best endeavors to promote its objectives, advance its interests and retain the closest cooperation with The American Legion.

ARTICLE XIII **Parliamentary Ruling**

Section 1.

1. The Department organization shall be governed by the "Current Edition of The Roberts Rules of Order, Newly Revised", the National Parliamentary Authority or by National Constitution and Bylaws, and in which they are not inconsistent with applicable state statutes, Standing rules and special rules in all points not covered by this Constitution and Bylaws.

ARTICLE XIV
Amendments/ Resolutions

Section 1.

1. These Bylaws may be amended at any Department Convention by a vote of two-thirds (2/3) of the total authorized representation thereat (approved, authorized voting strength), provided that the proposed amendment shall have been submitted through the Department Executive Secretary-Treasurer to all Units and members of the Department Executive Committee by mailing OR emailing to them at least thirty (30) days prior to the convening of the next Department Convention;
2. Provided further, it may be amended by unanimous vote at any convention without notice; and provided further, that all proposed amendments shall be read at a regular session of the convention at least four hours (4) before the vote is taken.
3. Amendments proposed after distribution by the Department Executive 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.
4. An amendment, not having been previously read or distributed may be adopted by unanimous vote of the Department convention delegates
5. Units may propose amendments providing amendments have been officially approved by said Unit.
6. All recommendations and resolutions offered for the Consideration of the Department Convention shall be submitted to the constitution and By Laws committee

ARTICLE XV
Authority

The authority under which all Districts and Units of the American Legion Auxiliary, Department of Wyoming, shall function is vested in this Department Constitution and Bylaws and in such standing rules as have been duly adopted and set forth in the Unit Guide of the American Legion Auxiliary. Any provision of any District or Unit Constitution and Bylaws or any regulation of any District or Unit in conflict with the foregoing authority shall be void.

