

**Second District  
Constitution  
And By-Laws**



**“Second to None”  
American Legion  
Department of Ohio**

## **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 GOOD WILL ON EARTH; TO SAFEGUARD AND TRANSMIT TO POSTERITY THE PRINCIPLES OF JUSTICE; FREEDOM, AND DEMOCRACY; TO CONSECRATE AND SANCTIFY OUR COMRADESHIP BY OUR DEVOTION TO MUTUAL HELPFULNESS.

## **ARTICLE I – NAME**

THE NAME OF THE ORGANIZATION SHALL BE “THE SECOND DISTRICT ASSOCIATION INC., THE AMERICAN LEGION DEPARTMENT OF OHIO,” AND FOR ADMINISTRATIVE PURPOSES SHALL BE KNOWN AS “THE SECOND DISTRICT, DEPARTMENT OF OHIO.”

## **ARTICLE II – OBJECTS**

THE OBJECTS AND PURPOSES OF THIS DISTRICT SHALL BE AS SET FORTH IN THE FOREGOING PREAMBLE, THE CONSTITUTION OF THE DEPARTMENT OF OHIO, AND THE NATIONAL CONSTITUTION OF THE AMERICAN LEGION.

## **ARTICLE III – MEMBERSHIP**

ANY VETERAN IN GOOD STANDING IN ANY AMERICAN LEGION POST IN THE SECOND DISTRICT SHALL BE A MEMBER OF THE DISTRICT, ALL POSTS OF THE SECOND DISTRICT, AMERICAN LEGION, SHALL BE MEMBERS OF THE SECOND DISTRICT ASSOCIATION.

## **ARTICLE IV – ADMINISTRATION**

SECTION 1. THE LEGISLATIVE BODY OF THIS ORGANIZATION SHALL BE A DISTRICT CONVENTION TO BE HELD ANNUALLY. THE PLACE AND TIME OF EACH DISTRICT CONVENTION SHALL BE FIXED BY THE DISTRICT COMMANDER, HOWEVER, IT MUST BE HELD AT LEAST FIFTEEN (15) DAYS PRIOR TO THE DATE OF THE DEPARTMENT CONVENTION.

SECTION 2. THE ANNUAL CONVENTION SHALL BE COMPOSED OF DELEGATES AND ALTERNATES FROM EACH POST. EACH POST SHALL BE ENTITLED TO ONE(1) DELEGATE AND ONE (1) ALTERNATE FOR THE FIRST TWENTY-FIVE (25) MEMBERS, AND TWO (2) DELEGATES AND TWO (2) ALTERNATES FOR EACH

SIXTY-SIX (66) MEMBERS, AND AN ADDITIONAL DELEGATE AND ALTERNATE FOR EACH ADDITIONAL ONE-HUNDRED (100) MEMBERS, PAID UP AND CERTIFIED TO DEPARTMENT HEADQUARTERS AT LEAST FIFTEEN (15) DAYS PRIOR TO DISTRICT CONVENTION, THE NAMES OF SAID DELEGATES AND ALTERNATES SHALL BE CERTIFIED IN WRITING TO THE DISTRICT COMMANDER NOT LATER THAN FIVE (5) DAYS PRIOR TO SAID DISTRICT CONVENTION.

THE RULES AND ORDER OF BUSINESS OF THE LAST PRECEDING CONVENTION SHALL BE THE RULES AND ORDER OF BUSINESS OF THE NEXT SUCCEEDING CONVENTION, UNTIL SUCH TIME AS THE RULES AND ORDER OF BUSINESS COMMITTEE REPORTS TO THE CONVENTION THEN IN SESSION.

THE VOTING STRENGTH OF EACH POST SHALL BE EQUAL TO THE NUMBER OF DELEGATES TO WHICH THE POST IS ENTITLED PROVIDED SUCH DELEGATES OR THEIR ALTERNATES ARE REGISTERED AT SUCH CONVENTION. DELEGATES AND ALTERNATES WILL NOT BE PERMITTED TO VOTE UNLESS THEIR POST CONFORMS AT ARTICLE 5-a, SECTION 1, PARAGRAPH 4.

AN ALTERNATE SHALL NOT BE ENTITLED TO VOTE EXCEPT IN THE ABSENCE OF THE DELEGATE. ALL PAST SECOND DISTRICT COMMANDERS, WHILE IN GOOD STANDING IN THEIR RESPECTIVE POST SHALL BE AUTOMATIC DELEGATES TO THE SECOND DISTRICT CONVENTION FOR LIFE PROVIDING THEY ARE REGISTERED AT SAID CONVENTION. THEIR STATUS AS DELEGATES DOES NOT COUNT AGAINST THE VOTING STRENGTH OF THEIR HOME POST BUT IS IN ADDITION THERETO.

SECTION 3. A QUORUM SHALL EXIST AT A DISTRICT CONVENTION WHEN A MAJORITY OF THE QUALIFIED POSTS OF THE DISTRICT ARE REPRESENTED BY DULY ELECTED DELEGATES AND/OR ALTERNATES, DULY CERTIFIED AND REGISTERED.

SECTION 4. DELEGATES AND ALTERNATES TO THE NATIONAL CONVENTION ARE TO BE SELECTED OR ELECTED BY VOTE ON ONE MEMBER OF EACH COUNTY BY THE COUNTY COUNCIL AND SO CERTIFIED FOR APPROVAL AT THE DISTRICT CONVENTION. THE OUTGOING DISTRICT COMMANDER SHALL ASSUME THE ROLE OF DISTRICT DELEGATE CHAIRPERSON. IF HE/SHE IS UNABLE TO ATTEND THE NATIONAL CONVENTION, THE INCOMING COMMANDER SHALL ASSUME THIS ROLE, DELEGATE APPORTIONMENT SHALL BE AS FOLLOWS:

(1) LESS THAN SEVEN (7) DELEGATES: THE OUTGOING DISTRICT COMMANDER SHALL BE AN AUTOMATIC DELEGATE REPRESENTING HIS/HER HOME COUNTY AND THE ELECTED DELEGATE FROM SAID COUNTY SHALL ASSUME ALTERNATE STATUS. THE REMAINDER OF THE COUNTIES WITH THE DISTRICT SHALL DRAW LOTS TO DETERMINE DISTRICT REPRESENTATION FROM THE ELECTED DELEGATES AND ALTERNATES.

(2) SEVEN (7) DELEGATES: THE OUTGOING DISTRICT COMMANDER SHALL BE AN

AUTOMATIC DELEGATE REPRESENTING HIS/HER HOME COUNTY AND THE ELECTED DELEGATE FROM SAID COUNTY SHALL ASSUME ALTERNATE STATUS. THE REMAINDER OF THE COUNTIES SHALL BE REPRESENTED BY THEIR DELEGATES AND ALTERNATES SO ELECTED BY THEIR RESPECTIVE COUNTY COUNCILS OR COUNTY CONVENTIONS.

(3) WHEN THERE ARE EIGHT (8) DELEGATES: THE OUTGOING DISTRICT COMMANDER SHALL BE NAMED DISTRICT DELEGATE-AT-LARGE WITH AN ALTERNATE DELEGATE-AT-LARGE TO BE ELECTED BY THE CONVENTION. THE INCOMING DISTRICT COMMANDER SHALL BE THE DELEGATE FROM HIS/HER COUNTY; THAT COUNTY SHALL ELECT AN ALTERNATE; ALL OTHER COUNTIES WITHIN THE DISTRICT SHALL ELECT THEIR DELEGATE AND ALTERNATE.

(4) WHEN THERE ARE (9) DELEGATES OR MORE: BOTH THE OUTGOING DISTRICT COMMANDER AND THE INCOMING DISTRICT COMMANDER SHALL BE NAMED DISTRICT DELEGATES-AT-LARGE WITH THE ALTERNATE FOR EACH TO BE ELECTED BY THE DISTRICT CONVENTION; ALL COUNTIES WITHIN THE DISTRICT SHALL ELECT THEIR DELEGATES AND ALTERNATES. IF THE TOTAL IS MORE THAN NINE (9), THE ADDITIONAL DELEGATES AND THEIR ALTERNATES SHALL BE ELECTED AT-LARGE BY THE DISTRICT CONVENTION.

(5) IN CASE THE OUTGOING DISTRICT COMMANDER AND THE INCOMING DISTRICT COMMANDER ARE BOTH UNABLE TO ATTEND THE NATIONAL CONVENTION, THEN THE VACANCY SHALL BE FILLED BY ELECTING AT THE DISTRICT CONVENTION A DELEGATE-AT-LARGE AND HIS/HER ALTERNATE. THIS DELEGATE-AT-LARGE DOES NOT AUTOMATICALLY ASSUME CHAIRPERSON OF THE DISTRICT DELEGATION. IN SUCH CASES, THE DISTRICT COMMANDER SHALL APPOINT THE CHAIRPERSON OF THE DELEGATION FROM THE DELEGATES OF THE DISTRICT.

SECTION 5. THERE SHALL ALSO BE APPOINTED BY THE OUTGOING DISTRICT COMMANDER A MEMBER TO SERVE ON EACH OF THE DEPARTMENT CONVENTION COMMITTEES, SUCH COMMITTEE MEMBERS TO HAVE ALL THE PRIVILEGES OF THE DEPARTMENT CONVENTION EXCEPT THE RIGHT TO VOTE IN THE CONVENTION, UNLESS HE/SHE SHALL HAVE BEEN ELECTED AND QUALIFIED AS A DELEGATE TO THE DEPARTMENT CONVENTION. SUCH COMMITTEEPERSON, UNLESS HE/SHE IS A QUALIFIED DELEGATE AFORESAID, SHALL HAVE NO VOICE IN THE CONVENTION EXCEPT BY UNANIMOUS CONSENT OF SAID CONVENTION.

#### **ARTICLE V – DISTRICT OFFICERS**

SECTION 1. THE DISTRICT CONVENTION SHALL ELECT FOR A TERM OF ONE YEAR A DISTRICT COMMANDER, A FIRST VICE COMMANDER, AND DISTRICT SECOND VICE COMMANDER. THE DISTRICT FINANCE OFFICER SHALL BE ELECTED FOR A THREE (3) YEAR TERM. THEY SHALL ALSO ELECT ONE TRUSTEE ANNUALLY FOR A THREE (3) TERM

THE DISTRICT COMMANDER AND DISTRICT FIRST VICE-COMMANDER SHALL BE MEMBERS OF THE DEPARTMENT EXECUTIVE COMMITTEE AS PROVIDED BY THE

DEPARTMENT CONSTITUTION.

SECTION 2. SUCH OFFICERS SHALL TAKE OFFICE IMMEDIATELY AFTER THEIR RATIFIED BY THE DEPARTMENT CONVENTION NEXT FOLLOWING THEIR ELECTION. IN CASE OF A VACANCY IN THE OFFICE OF DISTRICT COMMANDER, THE FIRST VICE-COMMANDER SHALL SUCCEED TO THE OFFICE.

IF A VACANCY IN THE OFFICE OF DISTRICT FIRST VICE-COMMANDER OCCURS AFTER HIS/HER RATIFICATION AND BEFORE THE NEXT SUCCEEDING DISTRICT CONVENTION, THE DISTRICT SECOND VICE-COMMAND SHALL SUCCEED TO THAT POSITION SUBJECT TO THE CONFIRMATION OF THE DEPARTMENT EXECUTIVE COMMITTEE.

IF A VACANCY IN THE OFFICE OF DISTRICT SECOND VICE-COMMANDER, FINANCE OFFICER, OR TRUSTEE OCCURS, THE DISTRICT COMMANDER SHALL APPOINT A MEMBER OF A POST IN THE SECOND DISTRICT TO FILL THE VACANCY FOR THE REMAINDER OF THE UNEXPIRED TERM ONLY, SUBJECT TO THE APPROVAL OF THE DISTRICT EXECUTIVE COMMITTEE.

IF THE VACANCY OCCURS AFTER THE DISTRICT CONVENTION AND BEFORE THE NEXT SUCCEEDING DEPARTMENT CONVENTION AN ELECTION SHALL BE HELD AT THE DEPARTMENT CONVENTION AT A MEETING OF THE OFFICIAL DELEGATES FROM THE POSTS OF THE DISTRICT CONCERNED CALLED FOR THAT PURPOSE BY THE DISTRICT COMMANDER.

SECTION 3. THE DISTRICT COMMANDER SHALL APPOINT A DISTRICT ADJUTANT, CHAPLAIN, JUDGE ADVOCATE, AND SERGEANT-AT-ARMS.

**ARTICLE V- DISTRICT FUND**

SECTION 1. THERE IS HEREBY CREATED A SECOND DISTRICT ASSOCIATION FUND. THE PURPOSE OF WHICH SHALL BE TO ASSIST AND FURTHER THE NORMAL PROGRESS OF THE SECOND DISTRICT. BETWEEN CONVENTIONS THIS FUND SHALL BE DISBURSED UPON RECOMMENDATIONS OF THE BOARD OF TRUSTEES AND UPON TWO-THIRDS (2/3) VOTE OF THE DISTRICT EXECUTIVE COMMITTEE.

SECTION 2. THIS ASSOCIATION SHALL NOT INCUR, OR CAUSE TO BE INCURRED, ANY LIABILITY OR OBLIGATION WHICH WOULD SUBJECT TO LIABILITY ANY POST, SUB-DIVISION, GROUP OF MEMBERS, MEMBERS OF THE AMERICAN LEGION, OR OTHER INDIVIDUALS, CORPORATIONS, OR ORGANIZATIONS.

**ARTICLE VI - DISTRICT EXECUTIVE COMMITTEE**

SECTION 1. BETWEEN DISTRICT CONVENTIONS, THE ADMINISTRATIVE POWER SHALL BE VESTED IN A DISTRICT EXECUTIVE COMMITTEE WHICH SHALL CONSIST OF THE DISTRICT COMMANDER, DISTRICT FIRST VICE-COMMANDER,

DISTRICT SECOND VICE-COMMANDER, DISTRICT FINANCE OFFICER, THREE (3) TRUSTEES AND THE SEVEN DULY ELECTED COUNTY COMMANDERS. THE IMMEDIATE PAST DISTRICT COMMANDER SHALL ALSO BE A MEMBER OF THE DISTRICT EXECUTIVE COMMITTEE. A QUORUM TO CONDUCT BUSINESS SHALL BE A MAJORITY OF THE MEMBERS OF THE EXECUTIVE COMMITTEE.

SECTION 2. THE DISTRICT COMMANDER SHALL BE CHAIRPERSON OF THE DISTRICT EXECUTIVE COMMITTEE, AND IN HIS/HER ABSENCE, THE DISTRICT FIRST VICE-COMMANDER SHALL SERVE IN THAT CAPACITY. IN THE ABSENCE OF THE DISTRICT COMMANDER AND THE DISTRICT FIRST VICE-COMMANDER, THEN THE DISTRICT SECOND VICE-COMMANDER, THE FINANCE OFFICER, THE THREE (3) TRUSTEES SHALL SERVE AS CHAIRPERSON IN THAT ORDER.

SECTION 3. THE DISTRICT EXECUTIVE COMMITTEE SHALL PREPARE AND APPROVE AN ANNUAL DISTRICT BUDGET.

#### **ARTICLE VII - COUNTY CONVENTIONS & COUNTY COUNCILS**

SECTION 1. IT SHALL BE THE DUTY OF THE DISTRICT COMMANDER TO PROVIDE FOR ANNUAL COUNTY CONVENTIONS IN ALL COUNTIES NOT GOVERNED BY A REGULARLY CONSTITUTED COUNTY COUNCIL, AT A DATE NOT LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DISTRICT CONVENTION, AND THAT THE SAME LAWS WHICH GOVERN DELEGATES TO BOTH DEPARTMENT AND DISTRICT CONVENTIONS AND IN THE SAME RATIO, SHALL GOVERN REPRESENTATION TO THE COUNTY COUNCIL CONVENTIONS, EXCEPT THAT IT BE INCREASED TO A MULTIPLE OF FIVE (5); SAID DELEGATES TO BE ELECTED BY ALL POSTS IN THE COUNTY AT THEIR LAST REGULAR POST MEETING PRIOR TO THE COUNTY CONVENTIONS, AND THAT THE ELECTIONS OF THOSE OFFICERS (COUNTY COMMANDER AND COUNTY VICE-COMMANDER) BE RATIFIED AT THE ENSUING DISTRICT CONVENTION; AND FURTHER, THAT SUCH BUSINESS RELATIVE TO LEGISLATION, AMENDMENTS, RESOLUTION, AND ANY OTHER BUSINESS AS IT AFFECTS THOSE POSTS COMPRISING SAID COUNTIES, SHALL BE HANDLED IN THE SAME PROCEDURE OF BUSINESS AS ESTABLISHED BY AND FOR DEPARTMENT AND DISTRICT CONVENTIONS OF THE DEPARTMENT OF OHIO.

SECTION 2. EACH COUNTY HAVING MORE THAN ONE POST MAY FORM A COUNTY COUNCIL.

IN COUNTIES HAVING A COUNTY COUNCIL, SUCH COUNCIL SHOULD MEET NOT LATER THAN FIFTEEN (15) DAYS PRIOR TO THE DISTRICT CONVENTION FOR THE PURPOSE OF ELECTING ITS OFFICERS AND FOR THE PURPOSE OF CONSIDERING LEGISLATION, AMENDMENTS AND RESOLUTIONS, AND ANY AND ALL OTHER BUSINESS AS IT AFFECTS THE POSTS IN SAID COUNTIES AND THE AMERICAN LEGION AS A WHOLE.

THE DELEGATE REPRESENTATION TO SUCH MEETING SHALL BE AS PROVIDED BY THE CONSTITUTION OF SUCH COUNTY COUNCIL.

SECTION 3. ALL OFFICERS ELECTED AT SUCH COUNTY CONVENTIONS OR SUCH MEETINGS OF COUNTY COUNCILS SHALL BE INSTALLED PRIOR TO THE DEPARTMENT CONVENTION NEXT FOLLOWING AND THE NAMES OF SUCH OFFICERS CERTIFIED TO DEPARTMENT HEADQUARTERS AND TO THE DISTRICT COMMANDER FORTHWITH FOLLOWING INSTALLATION THEREOF.

SECTION 4. IT SHALL BE THE DUTY OF SUCH COUNTY ORGANIZATIONS AND COUNTY COUNCILS TO ASSIST IN AND COORDINATE ALL EFFORTS AND MOVEMENTS IN THEIR RESPECTIVE COUNTIES TO THE BEST INTERESTS OF THE AMERICAN LEGION. ALL COUNTY OFFICERS SHALL BE RESPONSIBLE TO THEIR RESPECTIVE DISTRICT COMMANDER.

#### **ARTICLE VIII-MEETINGS**

WITHIN SIXTY (60) DAYS FOLLOWING, THE NATIONAL CONVENTION THERE SHALL BE HELD A DISTRICT CONFERENCE. THERE SHALL ALSO BE HELD TWO (2) OTHER DISTRICT CONFERENCES PRIOR TO THE DISTRICT CONVENTION. THE PLACE OF SUCH CONFERENCES AND THE DISTRICT CONVENTION AND THE DATES OF THE SAME SHALL BE FIXED BY THE DISTRICT COMMANDER WITHIN THIRTY (30) DAYS FOLLOWING THE DEPARTMENT CONVENTION.

#### **ARTICLE IX- AMENDMENTS**

SECTION 1. THIS CONSTITUTION MAY BE AMENDED AT ANY DISTRICT CONVENTION BY TWO-THIRDS (2/3) VOTE OF THE VOTING STRENGTH REGISTERED AT SUCH CONVENTION. BEFORE AN AMENDMENT CAN BE CONSIDERED IT MUST HAVE BEEN PROPOSED AT ANY DISTRICT CONFERENCE PRECEDING THE DISTRICT CONVENTION AND ALL POSTS IN THE DISTRICT NOTIFIED IN WRITING A LEAST THIRTY (30) DAYS PRIOR TO THE DISTRICT CONVENTION.

SECTION 2. THIS CONSTITUTION IS ADOPTED SUBJECT TO THE PROVISIONS OF THE NATIONAL AND DEPARTMENT CONSTITUTIONS OF THE AMERICAN LEGION. ANY AMENDMENTS TO SAID NATIONAL AND DEPARTMENT CONSTITUTIONS WHICH ARE IN CONFLICT WITH ANY PROVISIONS HEREOF SHALL BE REGARDED AS AUTOMATICALLY REPEALING OR MODIFYING THE PROVISIONS OF THIS CONSTITUTION TO THE EXTENT OF SUCH CONFLICT.

#### **ARTICLE X – PROCEDURE**

THE RULES OF PROCEDURE AT THE DISTRICT CONVENTION AND CONFERENCES SHALL BE THOSE AS SET FORTH IN “ROBERTS’ RULES OF ORDER NEWLY REVISED” (RONR) EXCEPT AS MODIFIED BY THIS CONSTITUTION AND BY-LAWS.

**BY-LAWS**  
THE AMERICAN LEGION  
SECOND DISTRICT OF OHIO  
“SECOND TO NONE”

**ARTICLE 1**  
EXECUTIVE COMMITTEE

SECTION I. THE DISTRICT EXECUTIVE COMMITTEE, IN ADDITION TO THE DUTIES PRESCRIBED AND DEFINED IN THE CONSTITUTION, SHALL WITH THE DISTRICT COMMANDER EXERCISE GENERAL SUPERVISION OVER THE DISTRICT AND SHALL MEET AT THE CALL OF THE DISTRICT COMMANDER. THE DISTRICT COMMANDER SHALL CALL A MEETING OF THE DISTRICT EXECUTIVE COMMITTEE UPON THE WRITTEN REQUEST OF FIVE (5) OR MORE MEMBERS OF SAID EXECUTIVE COMMITTEE. THE EXECUTIVE COMMITTEE SHALL COMPRISE OF THE COMMANDER, 1<sup>ST</sup> VICE COMMANDER, 2<sup>ND</sup> VICE COMMANDER, FINANCE OFFICER, THREE TRUSTEES, AND THE SEVEN DULY ELECTED COUNTY COMMANDERS.

SECTION II. THE DISTRICT COMMANDER IMMEDIATELY AFTER TAKING OFFICE EACH YEAR SHALL APPOINT, SUBJECT TO RATIFICATION BY THE EXECUTIVE COMMITTEE, THE FOLLOWING: ADJUTANT, JUDGE ADVOCATE, SERGEANT AT ARMS, AND HISTORIAN.

**ARTICLE 2**  
DUTIES OF OFFICERS

SECTION I. COMMANDER - THE DISTRICT COMMANDER SHALL BE THE EXECUTIVE HEAD OF THE DISTRICT. THE DISTRICT COMMANDER SHALL PRESIDE OVER THE DISTRICT CONVENTION AND ALL DISTRICT CONFERENCES. DISTRICT COMMANDER SHALL SUBMIT A LIST OF OFFICERS AND ADJUTANT TO DEPARTMENT FOR ASSIGNED GROUP ACCESS TO MYLEGION.ORG WITHIN FORTY-FIVE (45) DAYS AFTER DEPARTMENT CONVENTION. IN ADDITION TO ARTICLE V, SECTION 1., OF THE DISTRICT CONSTITUTION, THE DISTRICT COMMANDER SHALL SUBMIT TO THE DISTRICT ADJUTANT A LIST SHOWING DATES AND TIMES OF POST VISITS WITHIN FORTY-FIVE (45) DAYS AFTER DEPARTMENT CONVENTION. THE DISTRICT COMMANDER SHALL HAVE MONTHLY COMMUNICATION WITH EACH POST IN THE DISTRICT. THE DISTRICT COMMANDER SHALL ENSURE THAT OFFICERS AND COMMITTEE CHAIRMEN HAVE THE NECESSARY RESOURCES TO SUCCESSFULLY OVERSEE THEIR PROGRAMS. THE COMMANDER SHOULD BE CONSTANTLY LOBBYING FOR DISTRICT MEMBERS FILLING OFFICER AND COMMITTEE CHAIR POSITIONS.

SECTION 2. 1<sup>ST</sup> VICE COMMANDER - THE DISTRICT 1<sup>ST</sup> VICE SHALL ASSUME THE DISTRICT DUTY OF MEMBERSHIP CHAIRMAN IMMEDIATELY FOLLOWING THE DEPARTMENT CONVENTION. HE OR SHE SHALL DEVISE A PLAN THAT WILL DRIVE DISTRICT MEMBERSHIP TOWARDS ATTAINING THE COVETTED BROWN JUG



AWARD WHILE MEETING DEPARTMENT MEMBERSHIP GOALS WITHIN THE LEGION YEAR. THE DISTRICT 1<sup>ST</sup> VICE SHALL COMMUNICATE MONTHLY WITH A STATUS REPORT ON MEMBERSHIP TO THE DISTRICT POST. ADDITIONALLY, THE 1<sup>ST</sup> VICE WILL GIVE A MEMBERSHIP REPORT AT ALL DISTRICT CONFERENCES AND CONVENTION. THE 1<sup>ST</sup> VICE SHALL BE THE DISTRICT CONTACT FOR MEMBERSHIP TRAINING IN RENEWING, RECRUITING, AND RETAINING. THE 1<sup>ST</sup> VICE SHALL SECURE LOCATIONS FOR CONFERENCES IN THE UPCOMING LEGION YEAR IN CONJUNCTION WITH POST VISITS. THE 1<sup>ST</sup> VICE SHOULD BE CONSTANTLY LOBBLYING FOR DISTRICT MEMBERS FILLING OFFICER AND COMMITTEE CHAIR POSITONS.

SECTION 3. 2<sup>ND</sup> VICE COMMANDER - THE 2<sup>ND</sup> VICE SHALL BE THE CHAIRMAN OF ACTIVITIES FOR THE DISTRICT. IT IS RECOMMENDED THAT HE OR SHE FORM A COMMITTEE TO PURPOSE ACTIVITIES THAT WILL BRING COMRADERY TO THE DISTRICT. 2<sup>ND</sup> VICE IS REQUIRED TO SECURE LOCATIONS AND SEEK ASSISTANTS FROM THAT LOCAL POST FOR ORGANIZING ACTIVITY. WORK CLOSELY WITH POST TO PROVIDE NECESSARY SUPPLIES TO RUN ACTIVITY. HE OR SHE SHALL WORK CLOSELY WITH THE DISTRICT TREASURER TO ENSURE ACTIVITIES ARE STAYING WITHIN THE 2<sup>ND</sup> DISTRICT BUDGET. THE 2<sup>ND</sup> VICE COMMANDER SHALL PROVIDE RECOGNITION TO POST FOR ORGANIZING AND RUNNING SAID ACTIVITY. THE 2<sup>ND</sup> VICE SHOULD BE CONSTANTLY LOBBLYING FOR DISTRICT MEMBERS FILLING OFFICER AND COMMITTEE CHAIR POSITONS.

SECTION 4, ADJUTANT – THE DISTRICT ADJUTANT SHALL BE CHARGED WITH ADMINISTERING THE POLICIES AND MANDATES OF THE DISTRICT CONVENTION, THE DISTRICT EXECUTIVE COMMITTEE AND THE DISTRICT COMMANDER. THE DISTRICT ADJUTANT SHALL BE THE CUSTODIAN OF THE DISTRICT BLUE BOOK, PAST COMMANDER AND HALL OF FAME FILES. WITHIN 10 DAYS AFTER THE DISTRICT CONVENTION THE ADJUTANT SHALL NOTIFY THE DEPARTMENT ADJUTANT OF THE ELECTED DISTRICT OFFICERS, APPOINTEES TO THE DEPARTMENT CONVENTION COMMITTEES, AND DISTRICT DELEGATES TO THE NATIONAL CONVENTION SIGNED BY THE OUTGOING DISTRICT COMMANDER. THE ADJUTANT WITHIN 15 DAYS SHALL CAUSE TO BE PUBLISHED ON THE DISTRICT WEBSITE A RESUME OF THE DISTRICT CONVENTION, DISTRICT CONFERENCE, OR DISTRICT EXECUTIVE MEETINGS. HE OR SHE SHALL PERFORM SUCH OTHER DUTIES AS ARE USUALLY INCIDENT TO THE OFFICE.

THE DISTRICT COMMANDER MAY ALSO APPOINT AN ASSISTANT ADJUTANT TO PERFORM SUCH DUTIES AS DIRECTED BY THE COMMANDER AND/OR THE ADJUTANT.

SECTION 5, FINANCE OFFICER- THE FINANCE OFFICER OF THE SECOND DISTRICT ASSOCIATION SHALL HAVE CHARGE OF ALL FUNDS OF THE SECOND DISTRICT ASSOCIATION AND SEE THAT THEY ARE DEPOSITED SAFELY IN A BANK IN THE SECOND DISTRICT. SUCH BANK SHALL BE A MEMBER OF THE F.D.I.C...THE FINANCE OFFICER SHALL REPORT AT EACH DISTRICT FALL, WINTER, SPRING

CONFERENCE, AND SUMMER CONVENTION THE CONDITION OF SUCH FUNDS.

HE/SHE SHALL SIGN ALL CHECKS TO DISBURSE THE MONIES OF THE SECOND DISTRICT ASSOCIATION UPON RECEIPT OF A VOUCHER SIGNED BY A MAJORITY OF THE TRUSTEES. HE/SHE SHALL FURNISH A SURETY BOND IN A SUM APPROVED BY THE TRUSTEES. PREMIUM FOR THE BOND SHALL BE PAID FROM FUNDS OF THE SECOND DISTRICT ASSOCIATION AFTER SUCH PAYMENT IS AUTHORIZED.

THE BOOKS AND RECORDS OF THE FINANCE OFFICER SHALL BE AUDITED AT LEAST ONCE A YEAR AND BEFORE THEY ARE DELIVERED TO HIS/HER SUCCESSOR, AND AT SUCH OTHER TIMES AS MAY BE CONSIDERED NECESSARY WHEN ORDERED BY THE BOARD OF TRUSTEES.

SECTION 6, TRUSTEES - THERE SHALL BE THREE (3) TRUSTEES. THE DUTIES OF THE TRUSTEES SHALL BE TO SUPERVISE AND DIRECT THE FINANCIAL OPERATION OF THE SECOND DISTRICT ASSOCIATION.

SECTION 7, DISTRICT CHAPLAIN – THE COMMANDER SHALL APPOINT A CHAPLAIN TO PERFORM SUCH DIVINE AND NON-SECTARIAN SERVICES AS REQUIRED. CHAPLAIN SHALL PROVIDE INVOCATION AND BENEDICTION AT DISTRICT CONVENTIONS AND CONFERENCES. DISTRICT CHAPLAIN SHALL SCHEDULE AND DIRECT THE ANNUALLY “FOUR CHAPLAIN SERVICE.” THE DISTRICT CHAPLAIN SHALL PRESIDE OVER THE ANNUAL “POST EVERLASTING SERVICE” HELD AT THE SPRING CONFERENCE. THE CHAPLAIN SHALL PROVIDE A REPORT SHOWING DIVINE SERVICES PROVIDED TO THE DISTRICT AND CHAPLAIN TRAINING RECEIVED AT DISTRICT CONFERENCES. DISTRICT CHAPLAIN SHALL KEEP THEIR CONTACT INFORMATION CURRENT ON DISTRICT WEBSITE.

SECTION 8, JUDGE ADVOCATE – THE COMMANDER SHALL APPOINT A JUDGE ADVOCATE WHO SHALL BE A MEMBER OF THE EXECUTIVE COMMITTEE AS A NON-VOTING MEMBER. THE JUDGE ADVOCATE SHALL ADVISE THE DISTRICT OFFICERS AND THE DISTRICT EXECUTIVE COMMITTEE ON ALL LEGAL MATER, INCLUDING THE INSTRUCTION AND INTERPRETATION OF THE DISTRICT, DEPARTMENT AND NATIONAL CONSTITUTION AND BY LAWS AND SHALL PERFORM SUCH OTHER DUTIES THAT ARE INCIDENTAL TO THE OFFICE.

SECTION 9, SERGEANT-AT-ARMS - THE DISTRICT COMMANDER SHALL APPOINT A SERGEANT-AT-ARMS WHO SHALL PRESERVE ORDER AT THE DISTRICT CONVENTION AND CONFERENCES, AND SHALL BE CUSTODIAN OF THE DISTRICT COLORS AND SUCH OTHER DISTRICT PROPERTY AS MAY BE ENTRUSTED TO HIM/HER. THE SERGEANT-AT-ARMS SHALL ATTAIN A GUEST LIST TO INCLUDE ALL PAST AND PRESENT DEPARTMENT POSITIONS HELD, DISTRICT SAL AND UNIT OFFICERS PRESENT, MEMBERS FROM OTHER DISTRICTS, AND LOCAL DIGNITARIES FOR ACKNOWLEDGEMENT AT EACH DISTRICT CONFERENCE. THE SERGEANT-AT-ARMS SHALL WILLINGLY OFFER TO PRESIDE OVER RAFFLES HELD AT EACH CONFERENCE. THE COMMANDER MAY APPOINT SUCH AIDES AND ASSISTANTS TO THE SERGEANT-AT-ARMS AS MAY BE NECESSARY.

SECTION 10, HISTORIAN - THE DISTRICT COMMANDER SHALL APPOINT A DISTRICT HISTORIAN WHO SHALL COLLECT RECORDS AND DATA OF INTEREST AND VALUE TO THE DISTRICT AND COMPILE IT INTO A COMPLETE HISTORY. THIS HISTORY SHALL BE MAINTAINED FROM YEAR TO YEAR.

SECTION 11, DISTRICT TASK FORCE - THERE SHALL BE CREATED A SECOND DISTRICT TASK FORCE. THE TASK FORCE IS TO BE COMPOSED OF THE FIVE (5) PAST DISTRICT COMMANDERS APPOINTED BY THE INCOMING DISTRICT COMMANDER WITH THE IMMEDIATE PAST COMMANDER AS CHAIRPERSON. THE DUTIES OF THE TASK FORCE ARE MAINLY TO INVESTIGATE ANY PROBLEMS WITHIN THE DISTRICT AND POSTS WITHIN SECOND DISTRICT AND TO REPORT THEIR FINDINGS, AND POSSIBLE SOLUTIONS TO THE DISTRICT COMMANDER, AND/OR THE DISTRICT EXECUTIVE COMMITTEE. THE TASK FORCE MAY BE ASSIGNED OTHER DUTIES BY THE DISTRICT COMMANDER, AND/OR THE DISTRICT EXECUTIVE COMMITTEE.

THE DISTRICT COMMANDER MAY APPOINT THE FOLLOWING COMMITTEES; AMERICANISM, CHILDREN AND YOUTH, NATIONAL SECURITY, LEGISLATIVE, GIFTS FOR YANKS, SPECIAL OLYMPICS, REHABILITATION, LAW & ORDER, POW/MIA, SONS OF AMERICAN LEGION, UNIFORM GROUPS, RESOLUTIONS, PUBLIC RELATIONS, EMPLOYMENT, ORATORICAL, CONSERVATION, BOYS STATE, D.M.S., BOY SCOUTS, CITIZENS FLAG ALLIANCE, AND ANY OTHER COMMITTEES THE DISTRICT COMMANDER DEEMED NECESSARY.

THE A FOREGOING APPOINTMENTS TO BE APPROVED BY THE DISTRICT EXECUTIVE COMMITTEE AT A MEETING NOT LATER THAN THE DISTRICT INSTALLATION.

SECTION 12, THERE SHALL BE CREATED A SECOND DISTRICT BASEBALL COMMISSION (SECTION 12a), BASEBALL COMMITTEE (SECTION 12b), BOWLING COMMISSION (SECTION 12c), AND A GOLF COMMISSION (SECTION 12d). THE PURPOSE AND DUTIES OF EACH ONE ARE OUTLINED AS FOLLOWS:

#### SECTION 12a. BASEBALL COMMISSION

1. TO CONSIST OF SEVEN (7) PERSONS WHO'S TERM OF OFFICE SHALL COMMENCE ON SEPTEMBER 1 AND END THE FOLLOWING AUGUST 31.

2. MEMBERS OF THE COMMISSION SHALL BE (AS OF EACH SEPTEMBER 1) THE DISTRICT COMMANDER, AND SIX (6) AT-LARGE MEMBERS TO BE APPOINTED BY THE DISTRICT COMMANDER, ALL COMMISSION MEMBERS MUST BE PAID UP MEMBERS OF A POST OF THE AMERICAN LEGION WITHIN THE SECOND DISTRICT. THE AT-LARGE MEMBERS SHALL NOT BE ACTIVELY INVOLVED IN THE OPERATION OF ONE OF THE SECOND DISTRICT AMERICAN LEGION BASEBALL TEAMS. THE CHAIRPERSON OF THIS COMMISSION SHALL BE APPOINTED BY THE DISTRICT COMMANDER.

3. THE PURPOSE OF THE COMMISSION IS THREE-FOLD.

a. TO SEE THAT MEMBER TEAMS ACT IN ACCORDANCE WITH THE RULES AND GUIDELINES OF THE AMERICAN LEGION BASEBALL PROGRAM AS OUTLINED BY STATE AND NATIONAL RULES.

b. TO SERVE AS JUDGE IN ALL AREAS OF DISPUTE.

c. TO SET UP AND OPERATE A DISTRICT TOURNAMENT.

#### SECTION 12b-BASEBALL COMMITTEE.

1. TO CONSIST OF THE FOLLOWING:

a. ONE (1) REPRESENTATIVE OF EACH TEAM FROM THE SECOND DISTRICT.

b. SUCH PERSONS AS THE DISTRICT COMMANDER MAY WISH TO APPOINT AS AT-LARGE MEMBERS.

c. THE DISTRICT SECOND-VICE COMMANDER.

2. MEMBERS OF THIS COMMITTEE NEED NOT BE MEMBERS OF THE AMERICAN LEGION, HOWEVER, THEY WILL ACT AS OFFICIAL SPOKESPERSON FOR THE POST THEY REPRESENT.

3. THE DISTRICT BASEBALL CHAIRPERSON SHALL ACT AS CHAIRPERSON OF THIS COMMITTEE.

4. THE PURPOSE OF THIS COMMITTEE IS TO SET UP AND OPERATE A SCHEDULE OF GAMES SO LONG AS IT CONFORMS TO STATE AND NATIONAL AMERICAN LEGION BASEBALL RULES AND REGULATIONS.

#### SECTION 12c- BOWLING COMMISSION.

1. TO CONSIST OF SEVEN (7) MEMBERS. THE DISTRICT SECOND VICECOMMANDER SHALL BE ONE OF THESE SEVEN (7) AND ACT AS CHAIRPERSON. THE OTHER SIX (6) SHALL EACH SERVE A THREE (3) YEAR TERM ON A ROTATION BASIS. THERE SHALL BE APPOINTED TWO (2) ANNUALLY TO A THREE (3) YEAR TERM. THE APPOINTED TWO (2) ARE TO BE MADE BY THE DISTRICT COMMANDER WITHIN THIRTY (30) DAYS AFTER HE/SHE TAKES OFFICE.

2. THE PURPOSE OF THE COMMISSION IS TO ORGANIZE AND OPERATE A DISTRICT BOWLING TOURNAMENT FOR AMERICAN LEGION, AUXILIARY AND SAL MEMBERS FROM THE SECOND DISTRICT. SOME OF THE MANAGEMENT OF THE TOURNAMENT MAY BE DELEGATED TO THE HOST POST OR THE MANAGEMENT OF THE BOWLING ALLY. HOWEVER, THE RESPONSIBILITY RESTS WITH THE COMMISSION.

3. MEMBERS OF THE COMMISSION SHALL SELECT THE SITE AND DATES SUBJECT TO THE APPROVAL OF THE DISTRICT COMMANDER.

4. THE COMMISSION SHALL BE THE FINAL ANSWER IN ALL AREAS OF DISPUTE.

5. A SMALL SUM OF MONEY MAY BE ADVANCED TO THE COMMISSION BY THE DISTRICT FUND OF THE SECOND DISTRICT FOR EXPENSES; HOWEVER, THIS IS TO BE PAID BACK AFTER THE TOURNAMENT FROM TOURNAMENT RECEIPTS. THE TOURNAMENT IS TO BE CONSIDERED A SELF-SUFFICIENT OPERATION WITH MOST ACCRUED MONIES BEING PAID OUT IN EXPENSES AND PRIZES. ANY REMAINING MONIES BECOME PART OF THE SECOND DISTRICT FUND.

6. FOR PURPOSES OF OPERATION PROCEDURE, THE BOWLING COMMISSION IS PERMITTED TO OPEN A SEPARATE CHECKING ACCOUNT ON A YEARLY BASIS. AT THE CONCLUSION OF THIS TOURNAMENT, THE ACCOUNT MUST BE CLOSED OUT. A COMPLETE REPORT GIVEN TO THE DISTRICT AND ANY REMAINING MONIES BE TURNED OVER TO THE SECOND DISTRICT FUND.

#### SECTION 12d- GOLF COMMISSION

1. TO CONSIST OF (3) PERSONS WHO'S TERM OF OFFICE SHALL COMMENCE ON SEPT. 1 AND END ON THE FOLLOWING AUG 31.

2. MEMBERS OF THIS COMMISSION SHALL BE THE DISTRICT SECOND VICE COMMANDER AND TWO (2) OTHER MEMBERS AS APPOINTED BY THE DISTRICT COMMANDER. THE CHAIRPERSON OF THIS COMMISSION SHALL BE APPOINTED BY THE DISTRICT COMMANDER.

3. THE PURPOSE OF THE COMMISSION IS TO ORGANIZE AND OPERATE A DISTRICT GOLF TOURNAMENT FOR AMERICAN LEGION, AUXILIARY AND SONS OF AMERICAN LEGION MEMBERS OF THE SECOND DISTRICT.

4. MEMBERS OF THE COMMISSION SHALL SELECT THE SITE AND DATES SUBJECT TO THE APPROVAL OF THE DISTRICT COMMANDER.

5. A SMALL SUM OF MONEY MAY BE ADVANCED TO THE COMMISSION BY THE DISTRICT FUND OF THE SECOND DISTRICT FOR EXPENSES; HOWEVER, THIS IS TO BE PAID BACK AFTER THE TOURNAMENT FROM TOURNAMENT RECEIPTS. THE TOURNAMENT IS TO BE CONSIDERED A SELF SUFFICIENT OPERATION WITH MOST ACCRUED MONIES BEING PAID OUT IN EXPENSES AND PRIZES. ANY REMAINING MONIES BECOME PART OF THE SECOND DISTRICT FUND.

### **ARTICLE 3- DISTRICT FUND**

SECTION 1. THERE IS HEREBY CREATED A SECOND DISTRICT ASSOCIATION FUND. THIS FUND IS TO BE CREATED AND MAINTAINED BY A PER CAPITA ASSESSMENT OF FORTY (40) CENTS PER MEMBER, BASED UPON MEMBERSHIP RECORD AT

DEPARTMENT HEADQUARTERS JUNE 1 OF THE PREVIOUS LEGION YEAR. REQUESTS FOR FUNDS MUST BE MADE BY WRITTEN APPLICATION TO THE TRUSTEES.

EACH POST SHALL REMIT TO THE DISTRICT FINANCE OFFICER SUCH PER CAPITA DUES ASSESSMENT PRIOR TO THE SECOND DISTRICT ASSOCIATION CONVENTION.

#### **ARTICLE 4 – BUSINESS QUORUM**

ROBERT’S RULES OF ORDER STATES THAT A QUORUM SET IN ANY ORGANIZATIONS BYLAWS “SHOULD APPROXIMATE” THE LARGEST NUMBER THAT CAN BE DEPENDED ON TO ATTEND ANY MEETING EXCEPT IN VERY BAD WEATHER OR OTHER EXTREMELY UNFAVORABLE CONDITIONS. FOR 2<sup>ND</sup> DISTRICT THE FOLLOWING WILL CONSTITUTE A QUORUM.

THE QUORUM FOR EXECUTIVE BOARD MEETING SHALL BE NO LESS THAN [9] MEMBERS.

THE QUORUM FOR DISTRICT CONFERENCE SHALL BE MEMBERS FROM NO LESS THAN [10] DISTRICT POST.

#### **ARTICLE 5- AMENDMENTS**

SECTION 1. THIS BY-LAW MAY BE AMENDED AT ANY DISTRICT CONFERENCE BY TWO-THIRDS (2/3) VOTE OF MEMBERSHIP IN ACTIVE STATUS VOTING AT SUCH CONFERENCE. BEFORE AN AMENDMENT CAN BE CONSIDERED IT MUST HAVE BEEN PROPOSED AT ANY DISTRICT CONFERENCE PRECEDING THE VOTING DISTRICT CONFERENCE AND ALL POSTS IN THE DISTRICT NOTIFIED BY EMAIL WRITING A LEAST THIRTY (30) DAYS PRIOR TO THE DISTRICT CONFERENCE OR CONVENTION.

SECTION 2. THIS BY-LAW IS ADOPTED SUBJECT TO THE PROVISIONS OF THE NATIONAL AND DEPARTMENT BY-LAWS OF THE AMERICAN LEGION. ANY AMENDMENTS TO SAID NATIONAL AND DEPARTMENT BY-LAWS WHICH ARE IN CONFLICT WITH ANY PROVISIONS HEREOF SHALL BE REGARDED AS AUTOMATICALLY REPEALING OR MODIFYING THE PROVISIONS OF THIS BY-LAW TO THE EXTENT OF SUCH CONFLICT.

#### Revision notes:

23 May 2021 – Constitution was revised to clearly identify articles for placing in a definitive By-law. *All of the foregoing was adapted at the Second District Convention assembled at New Bremen Post 345.*

