

**The American Legion - Department of Arizona
District 12**

Constitution

ARTICLE I - NAME

Section 1. The name of this organization shall be DISTRICT 12, Department of Arizona, The American Legion.

ARTICLE II - OBJECTS

Section 1. The objects and purposes of this District shall be to promote the principles and policies as set forth in the Preamble, the National, and the Department Constitutions of the American Legion.

ARTICLE III - NATURE

Section 1. This District is a civilian organization and membership therein does not affect of increase liability for military or police purposes.

Section 2. This organization shall be absolutely non-political and shall not be used for the discrimination of partisan principles nor for the promotion of the candidacy of any person seeking public office of preferment.

Section 3. Rank does not exist in the American Legion; no member shall be addressed by his/her military title in any meeting of this District

ARTICLE IV - MEMBERSHIP

Section 1. Eligibility to membership in this District shall be as prescribed by the National, and the Department Constitution of the American Legion.

ARTICLE V - OFFICERS

Section 1. The administrative affairs of this District shall, except as may be otherwise provided by the By-Laws, be under the supervision of an Executive Committee. The Executive Committee shall consist of the (1) member from each Post within the District, The District Commander, and the two (2) District Vice Commanders. The District Finance Officer, and the District Adjutant shall be members of the committee with voice but without vote. The term of office of the Executive Committee shall be for one (1) year. This District, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of the District shall be a Commander, Senior Vice Commander, Junior Vice Commander, Finance Officer and such other officers as may be deemed necessary by this organization, who shall be nominated from the floor at a regular annual convention.

Section 3. The Commander and Vice Commanders shall be elected as provided for in the Constitution of the Department of Arizona. The Adjutant shall be appointed by the newly elected Commander, subject to approval by the Executive Committee. All officers and Executive Committeemen shall hold office until their successors are duly installed or as otherwise provided. Any officer or Executive Committeeman may be removed from office for inefficiency by the Executive Committee with a two thirds vote of said Committee.

Section 4. Every member in good standing of a Post within this District shall be eligible to hold office in the District.

Section 5. The duties of officers and the Executive Committeemen shall be those usually appertaining to such officers of committeemen and as further provided for in By-Laws of this District.

Section 6. Any person holding an Executive Office in the Department or in a District, or Post, shall not be eligible to hold any Executive Office at the same time in the Department or in a District, or Post. Executive Officer is defined as a Commander or Vice Commander.

Section 7. No two (2) Executive Officers (Commander, Vice Commander) shall be elected and/or appointed from the same Post. The District Finance Officer may be elected and/or appointed from any Post within the District. The District Adjutant may be appointed from any Post within the District.

ARTICLE VI - AMENDMENTS

Section 1. This Constitution is adopted subject to the provisions of the National Constitution of the American Legion and the Department Constitution, Department of Arizona, The American legion. No Amendments, Changes, and/or Additions to this constitution will be in conflict with the before stated constitutions.

Section 2. This Constitution may be amended at any regular District meeting by a vote of two-thirds of the Posts attending said meeting, provided that the proposed amendment shall have been submitted in writing to all the Posts of the District at least forty-five (45) days in advance of the date that such amendment is to be voted upon. Each Post within the District will have one (1) vote, no partial or split vote will be permitted. Each of the District Vice Commanders will have one (1) vote. The District Commander will vote in the event of a tie.

This Constitution adopted at the first regular meeting of District 12, Department of Arizona, The American Legion, November 15, 1964, at Apache Junction Post No. 27, and amended at the regular meeting of District 12, Department of Arizona, The American Legion on 14th day of January 1990, at Phoenix, Arizona Post No. 41.

Alfred Smith
Commander District 12
Adjutant District 12

The American Legion - Department of Arizona District 12

By-Laws

Revised — November 21, 1999

ARTICLE I — Name

Section 1. The district existing under these By-Laws is to be known as DISTRICT NO. 12, Department of Arizona, The American Legion.

ARTICLE II — Administration

Section 1. The legislative body of this organization shall be any regular meeting or District Convention, to be held annually on a date which shall be not less than thirty days nor more than sixty days before the Department Convention, at a place to be fixed by the vote of the preceding meeting.

Section 2. The executive power shall be vested in the District Executive Committee which shall be composed of the District Commander, District Senior, and Junior Vice Commander, and one (1) Executive Committeeman from each Post within the District. The District Finance Officer, District Adjutant, and Past District Commanders (in good standing in their respective Posts) shall be members of the District Executive Committee with voice but no vote.

Section 3. The District Executive Committee shall have authority to appoint such committees and subcommittees as it sees fit and adopt rules and regulations for such committee operations.

Section 4. Each Post within the District will submit the name of one (1) individual (in good standing for the Post) to serve on the District Executive Committee. Each individual submitted will be ratified at the Annual District Convention (individual must be present) by fifty-one (51) percent of the voting strength present. A District Commander, Senior Vice Commander, and Junior Vice Commander will be elected each year by a majority of the voting strength present at the Annual District Convention. A District Finance Officer will be elected every two (2) years (even numbered years) by a majority of the voting strength present at said Annual District Convention.

1 of 5

Section 5. The District Commander shall preside at all District meetings, shall

supervise in a general way all American Legion affairs within the District over which he has supervision, and shall do and perform all duties that may be properly required of him by the Department Commander, the Department Executive Committee, the District Executive Committee, or by the Posts within the District. In addition the District Commander shall visit each Post within the District at least one (1) time a year. A District Meeting held at a District 12 Post will not constitute or substitute for an official visit.

Section 6. A vacancy of any one of the elected Commanders of the District shall be filled by a vote of the Executive Committee elevating the next elected Commander in line. An election shall be held, in the normal manner, by nomination and election at the next regular meeting of the District for the office of Jr. Vice Commander. A letter of notification for this election shall be sent to each Post and District Officer no later than 30 days prior to said election.

ARTICLE III — District Executive Committee

Section 1. The District Executive Committee shall meet for organization and such other business as may come before it at the call of the District Commander as soon as practicable after the District Convention. Thereafter the District Executive Committee shall meet, as often as said Commander shall deem necessary. The Commander shall call a meeting of the District Executive Committee upon the joint written request of three or more members of said Committee, fifty-one (51) percent of the District Executive Committee shall constitute a quorum.

Section 2. The District Executive Committee shall hear the reports of the District Committee Chairmen; and generally shall have charge of and be responsible for the management of the affairs of the District.

ARTICLE IV — Duties of Officers

Section 1. Duties of District Commander. It shall be the duty of the District Commander to preside at all meetings of the District and to have general supervision over the business affairs of the District and such officer shall be Chief Executive Officer of the District. He shall make an annual report or cause to be made such a report covering the business of the District for the year and recommendations for the ensuing year. He shall perform such other duties as directed by the District Constitution.

Section 2. Duties of District Senior Vice Commander. The District Senior Vice Commander shall assume and discharge the duties of the Office of Commander in the absence or disability of, or when called upon by the District Commander. His primary concern will be membership.

2 of 5

Section 3. Duties of District Junior Vice Commander. The District Junior Vice Commander shall assume the duties of chairing any and all special activities held within the District.

Section 4. Duties of District Adjutant. The District Adjutant shall have charge of and keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National organizations may require, render reports of membership annually or when called upon at a meeting and under direction of the Commander to handle all correspondence of the District.

Section 5. Duties of District Finance Officer. The District Finance Officer shall be in charge of all receiving and disbursing of District funds under the direction of the District Executive Committee and further shall be responsible for all financial records the District Executive Committee so desires. The District Finance Officer shall be bonded.

ARTICLE V — Resolutions

Section 1. All resolutions of State or National scope presented to this District by a member, or reported to this District by a committee shall merely embody the opinion of this District of the subject and copy of same shall be forwarded to the Department Headquarters for its approval before any publicity is given or action other than mere passage by the District is taken.

ARTICLE VI — Meetings

Section 1. The District shall have four (4) regular meetings and a District Convention annually at the Post Home of the Post selected at the preceding meeting. Provide further that the annual convention shall be held not less than 30 days or more than 60 days before the Department Convention. Be it further provided that regular meetings and annual conventions shall not be held more than one (1) time at the same Post during the term of the District Commander unless the other Posts have had a privilege of accepting or rejecting the said meeting.

Section 2. The District Commander or a majority of the Executive Committee shall have the power to call a special meeting of the District at any time.

Section 3. Upon the written request of five (5) Posts of this District the Executive Committee shall call a special meeting of the District.

Section 4. A quorum shall be fifty-one (51) percent of the member Posts in this District.

3 of 5

Section 5. A Post hosting a District 12 meeting will be required to provide a suitable meeting place for the District 12 Auxiliary to meet on the same time and date.

ARTICLE VII — Notices

Section 1. Every officer and Executive Committeeman shall furnish the District Adjutant with his/her phone number and address to be used for District business only.

ARTICE VIII — Rules of Order

Section 1. All proceedings of the District shall be conducted under and pursuant to Roberts Rules of Order, except as otherwise provided herein.

ARTICLE IX — Limitations of Liabilities

Section 1. This District shall incur, or cause to be incurred no liabilities nor obligations whatever, which shall subject to liability any other District, subdivision, group of members of The American Legion, or other individuals, corporations or organizations.

ARTICLE X — Finances

Section 1. There shall be a 20 cents per-capita tax for each member of each Post in District 12. Ten cents of these monies shall be used for operational expenses to carry out the functions of District 12. The additional 10 cents shall be used to fund the VA bingo. The figures used to determine the amount of money each Post in District 12 will pay to the District shall be the turn in figures the Department of Arizona uses for their voting strength at the Department Convention. Per-capita tax may be paid quarterly, or as directed by the District Executive Committee. The District Finance Officer will keep records of per-capita tax received, and inform any Post in the District of per-capita tax due.

ARTICLE XI — Amendments

Section 1. These By-Laws may be amended at any regular District meeting by a vote of two-thirds of the Posts of this District attending such regular meeting; providing, that the proposed amendments shall have been submitted in writing to each Post at least forty-five days in advance of the date when such amendment(s) are to be voted upon. Each Post within the District will have one (1) vote, no partial or split vote will be permitted. Each of the District Vice Commanders will have one (1) vote. The District Commander will vote in the event of a tie.

These By-Laws adopted at the first regular meeting of District 12 November 15, 1964, at Apache Junction Post NO. 27, revised at the regular meeting of District 12 on March 20, 1994, at Phoenix, Arizona Post No. 65, and revised at the regular meeting of District 12 on the 21st day of November 1999, at Phoenix, Arizona Post