

**BY-LAWS OF
THE TWENTY-NINTH DISTRICT, INC.**
THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA
As amended on October 4, 2020.

[INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA and filed with the Secretary of the State of California, March 31, 1964. File No. 467946. Filed with the County of Orange, California, by Attorney at Law, Harold E. Heinly, with a copy of the Articles of Incorporation on file with the 29th District Adjutant.]

The Twenty-Ninth District of The American Legion, Department of California, comprising the Posts within Orange County, do hereby adopt these Bylaws as follows.

ARTICLE I. NAME

Section 1. The Name of the organization shall be "The Twenty-Ninth District, Inc.", hereinafter referred to as "the 29th District" or "the District".

ARTICLE II. PURPOSE

Section 1. The object and purposes of the 29th District are expressed as follows:

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 III. POWERS

Section 1. District Status. This organization is a constituent part of and subject to the Department of California of The American Legion (hereinafter, "the Department"), and the National organization of The American Legion.

Section 2. Specification. This District shall have the right and power to

- District;
- (a) transact in regular meetings assembled, all the necessary business of the 29th District;
 - (b) consider and act upon matters affecting the welfare of the American Legion;
 - (c) collect funds from each Post in the 29th District as set forth hereinafter.
 - (d) exercise such other powers as defined and/or delegated to it by the Constitution and By-Laws of the Department or by other acts or actions of the Department.

ARTICLE IV. MEMBERSHIP ELIGIBILITY

Section 1. All Posts in Orange County now in existence shall be members of the 29th District and all Posts hereafter organized which shall apply for and be granted membership in the 29th District, shall be members of the District organization.

Section 2. All Posts and their membership shall adhere to and abide with Article II, Sections 1 through 3 of the Bylaws of the Department of California.

ARTICLE V. REPRESENTATION AT DISTRICT PROCEEDINGS AND MEETINGS

Section 1. Post Representatives to/at District Meetings. Each Post of the 29th District shall be represented in all regular meetings of the District by the duly elected delegates or alternates-from and representing each Post.

Section 2. Roll Call Voting. The delegate (or alternate in his/her absence) from any five (5) Posts may demand a roll call vote. Should a roll call vote be requested, then the vote of each Post shall be cast by the Post Commander or the Chairman of the delegation, as the case may be. The roll call must be called by the District Commander (or his/her substitute if absent) and tallied by the District Adjutant.

Section 3. At Large Delegates.

(a) All Past District 29 and Department Commanders by virtue of having been a District 29 or Department Commander, present at a meeting and who are a paid-up member in good standing of a Post in the 29th District, shall have a vote at all District Meetings.

(b) Any member of the 29th District who is elected or appointed as a Department Officer shall also be a Delegate At-Large during his/her term of office.

Section 4. Meeting Quorum. Delegate representation from a majority of Posts in the District present shall constitute a quorum for District Meetings.

Section 5. **Number of Delegates.**

(a) Each Post shall be represented in District Meetings by two Delegates, plus one delegate for each fifty members or major fraction thereof, based on membership as announced by the Department of California for representation to the Department Convention last passed provided that representatives from any one Post shall not be less than three (3) Delegates.

(b) **Selection and Term.** Delegates and alternates shall be elected prior to the pre-Department Convention Caucus Meeting of the 29th District, and shall serve until their successors are elected; and shall be entitled to fill any delegation vacancy created by elevation of a delegate to the position of District Commander.

Section 6. **Full Delegation Vote.** All Posts, as provided in the Department Constitution and By-Laws, are entitled to vote their full delegation whether present or not including at the annual pre-Convention Caucus. One Delegate can vote the full delegation.

Section 7. **Provision of Officer, Delegate and Alternate List.** It shall be the duty of the Adjutant of each Post to furnish the District Commander with a true list of all regularly elected Officers, Delegates and Alternates prior to the pre-Department Convention Caucus.

ARTICLE VI. OFFICERS

Section 1. Officer Titles. The officers of the 29th District shall be:

Commander;
 First Vice Commander;
 Second Vice Commander;
 Third Vice Commander;
 Adjutant;
 Finance Officer;
 Chaplain;
 Judge Advocate;
 Historian;
 Service Officer;
 Sergeant At Arms;
 Immediate Past Commander; and
 Five Executive Committeepersons.

Section 2. Elected Officers.

The District Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Sergeant At Arms, and the five (5) members of the District 29 Executive Committee shall be elected by a majority Roll Call vote in accordance with The American Legion, Department of California Bylaws, Article IX, Section 23.

Section 3. Appointed Officers.

The Adjutant, Finance Officer, Chaplain, Judge Advocate, Historian, and Service Officer shall be appointed by the District Commander and shall serve at his/her pleasure.

ARTICLE VII. NOMINATION, ELECTION, and APPOINTMENT of OFFICERS

Section 1. District Election Date. The District shall elect its Officers and District Executive Committee on a date selected by the District Commander but no later than at the District Department pre-Convention caucus.

Section 2. Nominations. First nominations of Candidates for the elective offices shall be made at the meeting of the 29th District preceding the Annual Meeting of the District as provided herein and by the American Legion Department of California Bylaws. Second nominations shall be re-opened at the Annual Meeting immediately before the election of officers.

Section 3. Order of Business at/for Election. The time of Election within the meeting shall be designated by the District Commander, immediately after the appointment of a Tally Committee as the second order of business at the Annual District Meeting.

Section 4. Number of Votes per Post. The Chairman of each Post delegation shall receive from the District Adjutant, the total number of votes the Post is entitled to cast.

Section 5. Conduct of Election. When the Post Delegate Chairpersons have cast their votes, the District Commander shall declare the election closed. The Tally Committee shall tally the votes, and the results being announced to the District by the District Commander immediately after the votes are tallied and the results determined.

Section 6. Officer Absences and Vacancy.

(a) Any elected or appointed Officer of the 29th District who is absent for three (3) consecutive meetings of the District (Executive Committee included) Meetings without being excused by the District Commander, the Office which such Officer occupies shall be declared vacant at a Regular Meeting of the District by a majority vote of the Delegates present and voting. If a vacancy should occur in an elected office of the Executive Committee or Finance Committee, whether such vacancy occurs through death, resignation, or inability to act as a District Officer, said vacancy shall be filled at the next regular meeting of the District.

(b) In case of a vacancy in the office of District Commander or District Vice Commander(s). the District Adjutant shall call the Executive Committee of the District, to a special meeting of the District in accordance with Article X, Section (b) of the 29th District Bylaws to fill such vacancy.

(c) **Notice of Action.** Written notification by mail, courier, personal or hand delivery, or electronic means such as email, facsimile, and other to all Posts that such vote was taken shall be given by the Adjutant at least twenty (20) days before the election and the vacancy created shall be filled in the same manner as the original election or appointment.

(d) **Temporary Appointment.** In the event of a vacancy in an *elective* officer, the District Commander may make an interim appointment with the approval of the District Executive Committee of a person immediately and temporarily act in that capacity; and shall take immediate steps to fill the vacancy in the same manner as the original election.

Section 7. Officer Terms. The term of District Officers shall correspond with those of the elective Department Officers elected at the following Annual Department Convention. A District Commander shall not serve more than two (2) consecutive terms in that office.

ARTICLE VIII. DISMISSAL AND RECALL

Section 1. Dismissal of Appointed. In the case of an appointed Officer or Committeeman, the District Commander may remove any member(s) of any committee or any appointed Officer who fails to perform the required duties of such committee or office. The District Commander may fill any vacancies caused by such action in the manner as an original selection.

Section 2. Recall of Elected. Recall of an elected Officer may occur whenever ten percent of the District Delegates have petitioned or voted in favor of initiating a recall of an elected Officer. The District Adjutant shall certify this action to the District Executive Board, which shall direct the Adjutant to prepare a special letter of notification of the proposed recall stating the officer and Officer involved, and the date, time and place of a recall vote. A vote for recall shall be held at a regular District meeting, and all Posts shall be notified in writing of the proposed recall vote at least twenty days prior to the meeting. A two-thirds majority of the District Delegates by roll call of Posts, shall constitute a recall. However, should such Officer involved in recall be the District Commander, the Adjutant shall be instructed by the Executive Board to certify to the Department Commander the recall action taken by the District and recommend that the District Commander be removed from Office. All vacancies created by recall shall be filled in the same manner as the original election.

ARTICLE IX. DUES AND ASSESSMENTS

Section 1. Assessment to Posts. To defray the necessary expenses of the District Organization, each member Post shall pay to the District Finance Officer, upon receipt of notice that the same is due, assessments and dues on a Per Capita Basis, upon the recommendation of the District Executive Committee, the amount to be paid upon being read at a regular meetings of the District, a quorum being present and adopted by affirmative vote of a 2/3 majority of those posts present and voting, such votes calculated based upon the previous Department Convention Membership Report.

Section 2. Allocation of Funds. From the funds so collected and any additional monies coming into the hands of the District Finance Officer not otherwise allocated shall pay the current expenses of the District, including the expenses of the District Officers as budgeted. At the close of each fiscal year a minimum of seventy-five dollars (\$75.00) shall be left in the 29th District Treasury for operating expense of the succeeding 29th District. Any other allocation not used shall revert to the District Treasury for inclusion for the following year's General Fund.

Section 3. Fund Drives. Any potential fund drive approved by the Delegates at a Regular Meeting of the District shall be self-supporting and no District Funds shall be allocated for this purpose.

Section 4. Advance Approval of Non-Emergency Expenditures. Any expenditure of Monies from the General Fund for other than emergency purposes shall be approved in advance by the majority vote of the Delegates at a regular District Meeting.

Section 5. Emergency Expenditures. In an emergency, declared by the District Commander, Monies from the General Fund may be expended on approval of the District Executive Committee, acting on behalf of the District, with such action being reported at the next Regular Meeting of the District. In no event shall the emergency expenditure exceed one-fourth (1/4) of the actual amount available in the General Fund at that time.

Section 6. District Fiscal Year. The Fiscal Year of this District shall conform to the Fiscal Year of the Department: July 1st of one year to June 30th of the following year.

Section 7. New Post Assessment. New Posts entering the District during the year shall pay to the District, dues and assessments based on the number of Charter Members as shown in the application for Charter. If a Post is already in existence, shall be transferred into the District, it shall pay the District dues and assessments based on the Membership of the Post for the preceding year. Should a Post be transferred out of the District after it has paid its assessments for the year, its assessments for the year shall be forfeited.

Section 8. Financial Accounting.

(a) The 29th District shall keep Records of Account by double entry and shall have said records audited by the District Finance Committee or three competent persons, none of whom shall be any persons charged with the responsibility of handling funds of the District. Said examination shall be reported to the delegates at the first Quarterly Meeting of the District.

(b) The 29th District shall require any Committee receiving funds to keep books of account. They shall report whenever requested by the Finance Officer but at least quarterly at the District meetings and have their books of accounts audited by the District Finance Committee who is not a member of the Committee being audited.

(c) No Committee shall operate on their own Financial Funds. All Monies from Committees shall be turned in to the District Finance Officer. All funds are subject to audit at

any time but must be audited once a year by the District Finance Committee. Persons handling funds of the District MUST be bonded by Department.

ARTICLE X. PROCEDURE

Section 1. Opening and closing of the meetings and Installations of Officers shall be conducted as prescribed and approved by the National Convention of the American Legion in Kansas City, October 31 through November 2, 1921, with subsequent amendments adopted and approved at later conventions.

Section 2. The procedure at all meetings shall be as set forth in these Bylaws. In the absence of any procedure there, the procedure set forth in the most recent edition of the American Legion Manual of Ceremonies shall govern. In the absence of a procedure therein, Roberts Rules of Order, as most recently revised, shall govern.

Section 3. Order of Business. The order of business shall be conducted as shown in the most recent American Legion Officers Guidebook.

Section 4. Approval of Minutes. The unapproved Minutes of prior District Meetings and the District Financial Report shall be read at the District Meeting or as distributed at or before the District Meeting, and shall be voted upon and approved by majority vote.

ARTICLE XI. DISTRICT MEETINGS

Section 1. Meeting Quorum. Except for Executive Committee meetings, a quorum shall exist when a majority of the Posts in the 29th District are represented.

Section 2. Regular Meetings. The Regular Meetings of the 29th District shall be held at such reasonable places and at such dates and time as the District Commander may designate. All Posts in the District shall be notified in writing by the District Adjutant on the time and place of each regular meeting, at least fifteen (15) days prior to the meeting date by either regular mail or electronic mail.

Section 3. Special Meetings. Special Meetings shall be called by the Commander or upon the request of at least five (5) Post Commanders of the District. No Special Meeting shall be held unless the respective District Post Commanders or Adjutants are notified in writing at least ten (10) days prior to the time of holding the Meeting, giving the time and place of the meeting and the matter to be considered; said notice to be mailed by the District Adjutant. In the event of a needed emergency Special Meeting, such required advance notice may be waived in writing by a majority of the District posts. Request and notice shall be in writing by regular mail, email, facsimile or other electronic means reasonably likely to communicate such.

Section 4. Annual District Meeting. The last meeting of the District's annual **fiscal** year is designated the Annual District Meeting.

Section 5. Participants Must be Accredited. No person shall take part in the District Meeting or Election, unless he/she is a duly accredited Delegate or Alternate to the District Meeting, except by unanimous consent of the Delegates present at the meeting.

Section 6. Alternative to Physical Meeting. When the District is unable to meet at a physical location for regular and/or special meetings and no other suitable or reasonable location is available, by order of the District Commander, it may meet by electronic means using either telephone, internet, remote or other electronic means in order to conduct any District business and/or elections as scheduled or otherwise required by these Bylaws. The District officers, Executive Committee members and Post representatives to the District must be notified by either regular or electronic mail at least 10 (ten) days prior to said meeting and the same quorum as for all other meetings will be required to conduct business.

ARTICLE XII. DUTIES OF OFFICERS

Section 1. Duties of the District Commander. The District Commander

- (a) is the Executive head of the District;
- (b) is the representative of the Department Commander, the Department Executive Committee, and the Area Vice Commander to the Posts of the District.
- (c) shall preside at all meetings of the District;
- (d) appoint all appointive Officers and Committee members;
- (e) establish committees required to carry out National, Department and District programs;
- (f) has general supervision over the business affairs of the District;
- (g) shall ensure properly executed Consolidated Post Reports, Certification of Post Officers, Notification of Post/Squadron Commanders and Adjutants reports, and Certification of Department Convention Delegates are submitted from the posts within the District and submission verified by the Department of California not later than twenty (20) days prior to the opening of the annual Department Convention.
- (h) **Placement of Posts on Probation.** Posts failing to submit properly executed reports twenty (20) days prior to the opening of the annual Department Convention shall be placed on probation by the District Commander until submission has been verified by the Department Adjutant.

Section 2. Duties of the First Vice Commander.

(a) The First Vice Commander shall assist the District Commander and act as District Commander in the absence of or by the request of the District Commander and serve as an alternate for the District Commander on the Department Executive Committee.

(b) The First Vice Commander's basic duty shall be development and encouragement of Legionnaire membership; and such other duties as assigned by the District Commander.

Section 3. Duties of the Second Vice Commander.

(a) The Second Vice Commander shall assume and discharge the duties of the office of First Vice Commander in the absence or disability of such Officer, and shall assist the Commander, and in the absence of the Commander and First Vice Commander. act as District Commander, and in the absence of the Commander and First Vice Commander shall serve on the Department Executive Committee.

(b) The Second Vice Commander's basic duty shall be development and encouragement of District financial, social and veteran events and activities; and such other duties as assigned by the District Commander.

Section 4. Duties of the Third Vice Commander.

(a) The Third Vice Commander shall assume and discharge the duties of the office of Second Vice Commander in the absence or disability of such Officer, and shall assist the Commander, and in the absence of the Commander and First and Second Vice Commanders, act as District Commander, and in the absence of the Commander and First and Second Vice Commanders shall serve on the Department Executive Committee.

(b) The Third Vice Commander's basic duty shall be development and coordination of children and youth programs within the District; and such other duties assigned by the District Commander.

Section 5. Duties of the Adjutant. The Adjutant shall give notice by mail, courier, personal or hand delivery, or electronic means such as email, facsimile, and other of all District meetings to all designated Delegates; have charge of and keep a full and correct report and minutes of the proceedings of all meetings; and, under direction of the Commander, handle the correspondence of the District; tally the vote on all roll calls voting; and perform such other duties as may be directed by the District or the Commander.

Section 6. Duties of the Finance Officer. The Finance Officer shall

(a) collect dues and assessments from District Posts;

(b) have custody of funds of the District;

- (c) pay all District bills authorized;
- (d) deposit the funds of the District in a reputable bank;
- (e) keep the accounts of the District and report such at each District meeting; (t) be bonded by the Department of California at no cost to the Finance Officer; (g) not be a member of the District Finance Committee.

There will be four (4) possible signatures on the accounts: Commander, Finance Officer, Adjutant and another elected officer of the District. Two (2) signatures thereof shall be required for any withdrawal, at least one of whom shall be an elected officer. The financial records shall be audited at the conclusion of the fiscal year by the District Finance Committee.

Section 7. Duties of the Chaplain. The Chaplain is charged with the spiritual welfare of the members of the 29th District and offers divine and non-sectarian services at District 29 meetings and events when called upon to officiate, adhering to such ceremonial rituals as recommended by the National and Department Legion organizations from time to time.

Section 8. Duties of Sergeant-At-Arms: The Sergeant-At-Arms is an aid to the District Commander and is responsible for the District Colors and their advancement and retirement; shall preserve order at all District Meetings; and shall perform such other duties as may from time to time be assigned by the District Commander.

Section 9. Duties of the Judge Advocate: The Judge Advocate shall assist the presiding officer by ruling on disputed questions of parliamentary procedure when requested by the Presiding Officer; and shall be responsible for the rulings on procedure and interpretation of the District, State, and National By-Laws. .

Section 10. Duties of the Historian: The Historian shall keep a record of important events in the District and shall keep the history of the District up to date at all times.

Section 11. Duties of the Service Officer: The Service Officer shall keep the members in the District informed of affairs of the various issues, problems and news in the field of Veteran Affairs; and advise and counsel upon request.

Section 12. Duties of the Executive Committee: The Executive Committee shall consider all matters affecting the District and shall make recommendations to the District, which thereafter shall be approved by the District before becoming effective.

Section 13. Duties of the Finance Committee. The Finance Committee will assist the Finance Officer in preparing the proposed budget each year, audit the books of account of the District at least once a year, and audit the books of account of any other committee having its own fund as they may deem necessary at any time during the Legion year.

ARTICLE XIII. COMMISSIONS AND COMMITTEES

Section 1. Member Appointment. The District Commander shall appoint members of the Commissions and Committees of the District in accordance with Department, which Commissions and Committees are created by a resolution adopted at a District Meeting and subsequent amendments thereto.

Section 2. Chairperson Designation. The District Commander **shall** designate the Chairperson of each Commission or Committee who shall serve at the pleasure of the Commander.

Section 3. Special Committees. The District Commander may appoint Special Committees and members to serve during the term of the Commander and shall designate the Chairperson of such.

Section 4. Standing Committees. The standing committees shall be the Executive Committee, Finance Committee, Audit Committee and such other committees as the Commander may determine necessary.

Section 5. The Executive Committee. The Executive Committee shall consider all matters pertaining to the District and shall make recommendations to the District.

(a) Voting Members. The voting officers of the Executive Committee shall be the elected officers of the 29th District and the Immediate Past Commander of the District.

(b) Non-voting Members. The District Adjutant, Judge Advocate, and Finance Officer each shall be a member of the Executive Committee with voice and no vote. The Adjutant shall be the secretary of the Committee with voice and no vote.

(c) Diversity. No two of the elected Executive Committee persons shall be from the same Post in the District.

(d) Meeting Quorum. A quorum of the Executive Committee shall consist of five (5) voting members of the Executive Committee.

(e) Meetings Procedures.

i. The Executive Committee shall meet within twenty (20) days prior to each District meeting. Additional meetings may be called for, upon notice by the District Commander.

ii. A Special Meeting may be called by the Commander and must be called upon the written request of three (3) members of the Executive Committee.

iii. All members shall be notified by the District Adjutant of the meeting date, time and place at least ten (10) days prior to the additional or special meetings except in emergencies in which case written waiver of such notice from a majority of the voting Committee members will be permitted.

iv. Only the subject matter for which the meeting was called for may be discussed at the special meeting.

v, Written notification to District members may include electronic mail. (f)

(f) Emergency Powers.

i. The overall administration, government and management of this District are entrusted to the District's Executive Committee.

ii. In the event of any disaster, epidemic, event, civil disorder or like emergency that makes it impossible to operate the District pursuant to these Bylaws, including but not limited to the manner and process of nominating officer candidate and conducting elections and the conducting of the financial affairs of the District, the District's Executive Committee shall have the right and obligation to

a) declare that an emergency exists,

b) announce to the membership by all reasonable means the emergency and temporary assumption of all or limited District powers,

c) make temporary and reasonable rules and provisions for the legitimate operation, management and administration of the District including the manner of conducting Post elections, installing District officers, and handling financial matters,

d) return the District as soon as possible to normal operation according to and employing the District Bylaws, and

e) terminate their assumption of powers.

iii. Any member of the District may challenge the Executive Committee's assumption of and operation under these Emergency Powers by appeal to the Judge Advocate of Area 5 who shall present such challenge to the Area 5 Executive Committee. Any decision of the Area 5 Executive Committee regarding such challenge of the District Executive Committee's assumption of power and/or operations thereunder shall be final and binding on the District.

iv. No member of the Executive Committee shall be liable in any way for having participated in such emergency assumption of power whether such is subsequently help justified or unjustified, proper improper so long as such member's actions were in good faith.

The District shall indemnify any such committeeperson for the reasonable costs of defending themselves.

Section 6. Steering Committee.

(a) **Membership.** The Steering Committee shall consist of no fewer than three members, appointed by the Commander.

(b) **Duties.** The duty of the Committee is to verify the eligibility of all members, entitled to wear the District cap, in seeking election or appointment as an officer of the 29th District. The Committee shall review a member's documents establishing eligibility for American Legion membership. These documents are, but not limited to, a member's honorable discharge from active duty, a DD-21.4 or current military card for active duty members. The Committee may also request any additional information from the member to establish that member's eligibility to serve.

ARTICLE XIV. AMENDMENTS

Section 1. Procedure for Adoption. Proposed amendments to or replacement of these bylaws must be submitted in writing at a regular meeting of the District and either

a) distributed by regular or electronic mail to the commander and adjutant of each post at least 10 days prior to the regular meeting at which the proposed amendments are or replacement is being presented, or

b) read at the regular meeting, or

c) distributed at the regular meeting and accepted for consideration without reading by a majority vote of the authorized meeting delegates at the meeting.

There shall be a written notification (which may include electronic mail) including a copy of the proposed amendments or replacement to all commanders and adjutants of the posts who are members of the **29th** District at least 10 days prior to the meeting when the second reading will be done and voted on. A two thirds (2/3) majority vote of the District Delegates present and voting is required to pass the amendments or replacement.

Section 2. National and Department Conformity. These Bylaws shall be amended to conform to any changes in the National or Department Constitution and Bylaws. Failure of the District to adopt the required amendments shall not delay or modify the effect of such change(s).

Section 3. Submission to Department. Any Bylaw changes or amendments shall be submitted to Department for review and approval by a member of the Constitution and Bylaws Commission. Once approved by the Department, they shall immediately take effect and be binding upon all posts of District 29.

CERTIFICATION OF PROPER ADOPTION

Above the signatures of the District Commander and Adjutant, certify to the following:

"We hereby certify the above By-Laws were read at two meetings of the District and adopted on 10/04/2020 a quorum being present, and by a two-thirds (2/3) vote of those present and voting."

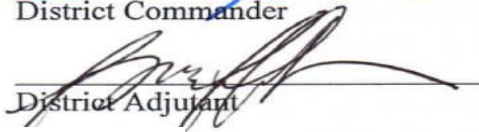
First reading, 08/02/2020; and

Second reading and adoption, 10/04/2020

Signed by,



District Commander



District Adjutant

Note: Certification of all subsequent amendments are required.

**UNOFFICIAL INDEX TO
BYLAWS OF DISTRICT 29**

October 4, 2020, version

(Prepared by District Commander and former Judge Advocate John Minnella, revised 7/25/20)

ACTIVITIES, DISTRICT

2d VC Duty:

encourage & develop District
financial/social/vet events/activities Art. XII, sec. 3(b)

ADJUTANT

Appointed Officer by Commander Art. XII, sec. 5
Art. VI, sec. 2
Dismissal of Art. VIII, sec. 1
Duties Specifically Art. XII, sec. 5
Advises Chair of Post election votes entitlement Art. VII, sec. 4
Calls Spec. Meeting of Exec. Comm for vacancy Art. VII, sec. 6(b)
Correspondence, handle District Art. XII, sec. 5
Give proper Meeting Notice Art. XII, sec. 5
Meeting minutes, prepare & keep Art. XII, sec. 5
Tally votes Art. XII, sec. 5
If instructed by Exec. Comm.:
Certifies Distr. Cmdr. recall to Dept. Cmdr. Art. VIII, sec. 2
Executive Committee Member: voice but no vote Art. XIII, sec. 5(b)
Officer designation Art. VI, sec. 1

AMENDMENTS, BYLAWS

Conformity, National & Department Art. XIV
Art. XIV, sec. 2
Proposed Adoption procedures Art. XIV, sec. 1
Submission to Dept. for Approval Art. XIV, sec. 3

ADMINISTRATION OF DISTRICT

Entrusted to District Executive Committee Art. XIII, sec. 5(f)

APPOINTMENTS

Committee Chairs: Art. XIII, sec. 2
Committee members, additional: subject to Post approval Art. XIV, sec. 1
Dismissal of Art. VIII, sec. 1
Officers, Appointed Art. VI, sec. 3
Adjutant
Finance Officer
Chaplain
Judge Advocate
Historian
Service Officer

AUDIT

Books of Account shall be kept Art. XIV, sec. 2
Certificate to Dept. Adjutant: by Dec. 1, cc to Dist. Cmdr. Art. XIV, sec. 2
Committee Art. XIII, sec. 4
Delinquency: Post Delegates deemed unaccredited Art. XIV, sec. 2

Examination of Books, by licensed account, or 3 members (not Cmdr., Adjutant, Fin. Off'r) When: within 90 days of new off'r installation	Art. XIV, sec. 2 Art. XIV, sec. 2
Finance Officer, shall be present during	Art. XIV, sec. 2
Other Audit: Dept. or Post Cmdr. or Exec. Comm. Orders	Art. XIV, sec. 2
Subject	Art. XIV, sec. 4

BOY'S STATE

3d VC Children & Youth Program	Art. XII, sec. 4(b)
--------------------------------	---------------------

BYLAWS

Adoption:	
District: 10/4/20	
Department: 6/1/20	
Amendment:	Art. XVIII
Adoption: next reg. mtg, 2/3s vote of present	Art. XVIII, sec. 1
Automatic, to conform to Nat'l/Dept. Bylaws	Art. XVIII, sec. 2
Effective, upon Calif. Dept. approval	Art. XVIII, sec. 3
Written notice to members after submission	Art. XVIII, sec. 1
Written submission & reading at reg. mtg required	Art. XVIII, sec. 1
Certification: signed by Post Cmdr. & Post Adjutant	Art. XVIII, sec. 4

CEREMONY MANUALS

Art. X, sec. 2

CHAPLAIN

Appointed Officer by Commander	Art. VI, sec. 3
Dismissal of	Art. VIII, sec. 1
Duties	Art. XII, sec. 7
Follow ceremonial rituals recommended by Hqs.	Art. XII, sec. 7
non-sectarian service at District meetings & events	Art. XII, sec. 7
Spiritual welfare of District comrades	Art. XII, sec. 7

COMMANDER

Duties	Art. XII, sec. 1
District Executive head	Art. XII, sec. 1(a)
Dept. Cmdr. Representative to Posts	Art. XII, sec. 1(b)
DEC Representative to Posts	Art. XII, sec. 1(b)
Area Vice Cmdr. Representative to Posts	Art. XII, sec. 1(b)
Preside at all District meetings	Art. XII, sec. 1(c)
Appoint appointive Officers /Committee members	Art. XII, sec. 1(d)
Establish committees to carry out programs	Art. XII, sec. 1(e)
Exercise Gen'l Supervision over District business	Art. XII, sec. 1(f)
Ensure properly executed reports are submitted not later than 20 days before Dept. Conv.	Art. XII, sec. 1(g)
Place posts on probation until reports submitted	Art. XII, sec. 1(h)
Election	Art. VI, sec. 2
Recall	
Exec. Comm. has Adjutant certify to Dept. Cmdr.	Art. VIII, sec. 2
Service Term limited to 2 consecutive terms	Art. VII, sec. 7

COMMISSIONS AND COMMITTEES

Chairpersons: Commander designates	Art. XIII
Commander appointment	Art. XIII, sec. 2
Special Committees, Commander creations	Art. XIII, sec. 1
Standing committees:	Art. XIII, sec. 3
Audit Committee	Art. XIII, sec. 4
Executive Committee	Art. XIII, sec. 4
Finance Committee	Art. XIII, sec. 5
Steering Committee	Art. XIII, sec. 4
Others deemed necessary by Commander	Art. XIII, sec. 6
	Art. XIII, sec. 4

CORRESPONDENCE

Adjutant's duty to handle	Art. XII, sec.5
---------------------------	-----------------

DISMISSAL

Appointed Officers & Committee persons	Art. VIII
District Cmdr. power	Art. VIII, sec. 1
District Cmdr. replacement power	Art. VIII, sec. 1

DUES, FEES, FUNDS

Post Assessment Amount, Annual "Per Capita"	
Each Post billed by District Finance Off'r	Art. IX, sec. 1
Payable	
to District Finance Off'r	Art. IX, sec. 1
immediately upon presentation	Art. IX, sec. 1
Executive Committee recommends	Art. IX, sec. 1
2/3s approval at Regular District Meeting	Art. IX, sec. 1
2/3s based on previous Dept. Conv. Membership	Art. IX, sec. 1
New Posts	
based on Charter Application number	Art. IX, sec. 7
Transfer into District:	
Based on preceding year membership	Art. IX, sec. 7
Transfer Out of District: payment forfeited	Art. IX, sec. 7
Emergency Expenditures	
Need declared by District Commander	Art. IX, sec. 5
Requires Exec. Comm. approval	Art. IX, sec. 5
Must be from General Fund	Art. IX, sec. 5
Cannot exceed ¼ of General Fund	Art. IX, sec. 5
Must be approved at next Regular meeting of Dist.	Art. IX, sec. 5
Fund Drives	
Must be approved at Regular District meeting	Art. IX, sec. 3
No District funds can be allocated	Art. IX, sec. 3
Minimum funds for next District 29 term	Art. IX, sec. 2
Non-emergency expenditures:	
Require advance majority approval by District	Art. IX, sec. 4
Uses:	
Current District expenses	Art. IX, sec. 2
Budgeted Distr. Off'r expenses	Art. IX, sec. 2

ELECTIONS

Date	Art. VII, sec. 1
------	------------------

Selected by District Commander	Art. VII, sec. 1
No later than pre-Dept. Conv. Dist. Caucus	Art. VII, sec. 1
Election, Closing of	
District Commander closes after votes cast	Art. VII, sec. 5
Elective Offices	
Positions	Art. VI, sec. 2
Vacancy	Art. VII, sec. 6
Declared Vacant at Regular Meeting	Art. VII, sec. 6(a)
Filed at next Regular Meeting	Art. VII, sec. 6(a)
Temporary Filling by Cmdr.	Art. VII, sec. 6(a)&(d)
Nominations for Elective Offices	Art. VII, sec. 2
First Nominations at Distr. Meeting before Annual	Art. VII, sec. 2
Second Nominations at Annual District Meeting	Art. VII, sec. 2
Order of Business	
After Tally Committee Appointment	Art. VII, sec. 3
District Commander determines	Art. VII, sec. 3
Election results announced by District Commander	Art. VII, sec. 5
Tally Committee	
Appointed by District Commander	Art. VII, sec. 3
Appointment second order of business	Art. VII, sec. 3
Tallies votes cast	Art. VII, sec. 5
Votes	
Adjutant advises Post chair of vote strength	Art. VII, sec. 4
District Cmdr. declares election closed	Art. VII, sec. 5
Post Adj. duty to report List before Conv. Caucus	Art. V, sec. 7
Post entitlement to vote full strength at Caucus	Art. V, sec. 6

EMERGENCY POWERS, EXECUTIVE COMMITTEE Art. XIII, sec. 5(f)

EXECUTIVE COMMITTEE

Composition of	Art. XIII, sec. 5
Duties: overall	
Administration of District	Art. XIII, sec. 5(f)i
Government of District	Art. XIII, sec. 5(f)i
Management of District	Art. XIII, sec. 5(f)i
Emergency Powers	Art. XIII, sec. 5(f)
Challenge of Emergency Powers assumption	Art. XIII, sec. 5(f)iii
Meeting Procedures	
Meet within 20 days prior to District meeting	Art. XIII, sec. 5(e)i
Additional meetings upon District Cmdr. notice	Art. XIII, sec. 5(e)i
Special Meeting:	
Advance notice requirement: 10 days prior	Art. XIII, sec. 5(e)iii
Except: emergencies: majority waiver called by Cmdr.	Art. XIII, sec. 5(e)ii
Discussion limited to Meeting subject	Art. XIII, sec. 5(e)iv
written request of 3 Exec. Comm. members	Art. XIII, sec. 5(e)ii
Members, Non-voting, voice but no vote	
Adjutant	
Judge Advocate	
Finance Officer	Art. XIII, sec. 5(b)
Members, Voting	

Elected District officers	
Immediate Past District Commander	Art. XIII, sec. 5(a)
Quorum, Meeting: 5 voting members	Art. XIII, sec. 5(d)
Secretary: Adjutant, voice but no vote	Art. XIII, sec. 5(b)
Meetings, when: 1 st Thurs. of month	Art. X, sec. 4

EXECUTIVE COMMITTEE PERSONS

Diversity: no 2 from same Post	Art. XIII, sec. 5(c)
Elected	Art. VI, sec. 2
Recall	Art. VIII, sec. 2

FINANCE COMMITTEE

Audits Finance Off'r at end of fiscal year	Art. XIV, sec. 4
Duties	Art. XII, sec. 13
Standing Committee of District	Art. XII, sec. 13
	Art. XIII, sec. 4

FINANCE OFFICER

Audit of records by Finance Comm. at fiscal year end	Art. XII, sec. 6
Bonded:	Art. XIV, sec. 2
	Art. XII, sec. 6(f)

Premium paid for by Post	Art. XI, sec. 5a
Provided under Dept. blanket bond	Art. XI, sec. 5a
Budget: develop w/in 30 days of taking office	Art. XI, sec. 5b
Dismissal of	Art. VIII, sec. 1
Duties:	Art. XII, sec. 6
Collect dues & assessments from Posts	Art. XII, sec. 6(a)
Have custody of District funds	Art. XII, sec. 6(b)
Pay District bills authorized	Art. XII, sec. 6(c)
Deposit District funds in reputable bank	Art. XII, sec. 6(d)
Keep District accounts	Art. XII, sec. 6(e)
Report District finances at each District meeting	Art. XII, sec. 6(e)
Be bonded by Dept. at no cost to Finance Off'r	Art. XII, sec. 6(f)

FINANCES

Bonding required if handling District funds	Art. IX, sec. 8(c)
Maintain Records of Accounts	Art. IX, sec. 8
Use double entry	Art. IX, sec. 8
Records shall be audited by	
District Finance Committee; or	Art. IX, sec. 8(a)
3 competent persons not handling District funds	Art. IX, sec. 8(a)
Exam. reported to Quarterly Meeting of District	Art. IX, sec. 8(a)
Committees receiving funds.	
Must keep books	Art. IX, sec. 8(b)
Report whenever requested by Finance Officer	Art. IX, sec. 8(b)
Report at least Quarterly to District meeting	Art. IX, sec. 8(b)
Have books audited by District Finance Committee	Art. IX, sec. 8(b)
Shall not operate on own funds	Art. IX, sec. 8(c)
Shall turn in all money to District Finance Officer	Art. IX, sec. 8(c)
Annual audit by District Finance Comm. required	Art. IX, sec. 8
Signatures on accounts:	
4 possible: Cmdr., Fin. Offr, Adjutant, elected Offr	Art. XIII, sec. 6

2 signatures (1 elected officer) necessary Art. XIII, sec. 6

FIRST VICE COMMANDER

Duties Specifically	Art. XII, sec. 2
Act as Cmdr. when Cmdr. absent or requests	Art. XII, sec. 2(a)
Act as Distr. Alternate on Dept. Exec. Comm.	Art. XII, sec. 2(a)
Encourage & develop membership	Art. XII, sec. 2(b)
Such other duties as assigned by District Cmdr.	Art. XII, sec. 2(b)
Election	Art. VI, sec. 2
Recall	Art. VIII, sec. 2

FISCAL YEAR, DISTRICT

July 1 to June 30 Art. IX, sec. 6

FUNDS, APPROPRIATION OF

Routine Operating Expenses, Finance Officer to Pay	Art. VI, sec. 1
Non-Routine Operating Expenses, approval needed by General Membership	Art. VI, sec. 1
\$500 Exec. Comm. Exception: Emergencies	Art. VI, sec. 1
At Regularly Scheduled Meeting	Art. VI, sec. 1

HISTORIAN

Appointed Officer by Commander	Art. V, sec. 1c
Dismissal of	Art. VIII, sec. 1
Duties	Art. XIII, sec. 10
Keep records of important District events	Art. XIII, sec. 10
Keep District history up-to-date	Art. XIII, sec. 10

JUDGE ADVOCATE

Appointed Officer by Commander	Art. V, sec. 1c
Dismissal of	Art. VIII, sec. 1
Duties	Art. XIII, sec. 9
Bylaws construction & interpretation	Art. XIII, sec. 9
Rule on disputed questions	Art. XIII, sec. 9
Such duties usually incident to that office	Art. XIII, sec. 9

LIABILITY LIMITATIONS

Limitation on incurring liabilities Art. XIII, sec. 5(f)iv

MEETINGS, DISTRICT

Annual District Meeting: last meeting of fiscal year	Art. XI, sec. 4
Delegates	
Each Post: 2 delegates	Art. V, sec. 5(a)
Add'l 1 delegate/50 members	Art. V, sec. 5(a)
No. based on last Dept. Conv. Representation	Art. V, sec. 5(a)
Must be duly accredited Delegate or Alternate	Art. XI, sec. 5
Except: unanimous consent of Delegates	Art. XI, sec. 5
Delegates, At Large, rights at All District meetings	
All Past District 29 commanders	Art. V, sec. 3(a)
All Past Department Commanders	Art. V, sec. 3(a)

District Members elected or appointed while in office	Art. V, sec. 3(b)
Physical Meeting Alternative	
District Cmdr. can order other means	Art. XI, sec. 6
10 days prior notice & quorum required	Art. XI, sec. 6
Procedure	Art. X
Absence of Bylaw, AL Ceremonies Manual	Art. X, sec. 2
Absence of Bylaw, Roberts Rules of Order	Art. X, sec. 2
As prescribed & approved by Nat'l Convention	Art. X, sec. 1
Bylaws control	Art. X, sec. 2
District Commander designates when & where	Art. XI, sec. 2
Regular Meeting Notice by Adjutant:	
in writing	Art. XI, sec. 2
at least 15 days before	
Order of Business follows Officers Guidebook	Art. X, sec. 3
Time & place reasonable	Art. XI, sec. 2
Quorum	
District Meetings	
Majority of Posts	Art. V, sec. 4
Majority of Post represented	Art. XI, sec. 1
Executive Meetings	
5 voting members	Art. XIII, sec. 5(d)
Regular Meeting Representatives	
Duly elected Post representatives	Art. V, sec. 1
Roll Call Voting	
Upon demand of any delegates of 5 posts	Art. V, sec. 2
Vote cast by Post Cmdr. or delegation Chair	Art. V, sec. 2
Called by Distr. Cmdr.	Art. V, sec. 2
Tallied by Distr. Adjutant	Art. V, sec. 2
Special Meetings	
Commander calls	Art. XI, sec. 3
Upon request of 5 Post Commanders	Art. XI, sec. 3
10 days advance Notice to Post Cmdrs. or Adjutants	Art. XI, sec. 3
Notice mailed by Adjutant	Art. XI, sec. 3
Emergency Meeting: Notice can be waived by majority	Art. XI, sec. 3

MEMBERS, MEMBERSHIP

All existing & newly created posts of District 29	Art. IV
1 st VC Duty: Encourage & develop membership	Art. IV, sec. 1
Required adherence to/with Dept. Bylaws	Art. XII, sec. 2(b)
Representation at District meetings	Art. IV, sec. 2
	Art. V

MINUTES

Approval of Pending requires majority vote	Art. X, sec. 4
Kept by Adjutant	Art. XII, sec. 5
Pending Minutes to be approved shall be:	
Read at District Meeting; or	Art. X, sec. 4
Distributed at or before District Meeting	Art. X, sec. 4

NAME, OFFICIAL

Art. I, sec. 1

OFFICERS

Absences	Art. VII, sec. 6(a)
3 consecutive, unexcused Ex. Comm. meetings	
Declared vacant at Regular Meeting	
Majority Vote of present & voting Post delegates	
Appointed	Art. VI, sec. 3
Appointment of	Art. VII
Dismissal of Appointed	Art. VIII, sec. 1
Elected	Art. VI, sec. 2
Election of	Art. VII, sec. 1
Nomination of	Art. VII
Recall of Elected	Art. VIII, sec. 2
Terms	
Corresponds to Dept. officers	Art. VII, sec.7
District Cmdr. limited to 2 consecutive terms	Art. VII, sec. 7
Titles	Art. VI, sec. 1
Vacancy	Art. VII, sec. 6(b)
Adjunct calls Ex. Comm. to Spec. Meeting	Art. VII, sec. 6(b)
Notice if declared vacant by Regular Meeting	Art. VII, sec. 6(c)
Temp. appointment in elective office by Cmdr.	Art. VII, sec. 6(d)
Temp. appointment with Ex. Comm. approval	Art, VII, sec. 6(d)

ORATORICAL CONTEST

3d VC Children & Youth Program	Art. XII, sec. 4(b)
--------------------------------	---------------------

PAST DISTRICT COMMANDER

At Large Delegate entitled to vote at all District Meetings	Art. V, sec. 1
Must be present	Art. V, sec. 1
Must be paid-up District Post member	Art. V, sec. 1
Must be in good standing	Art. V, sec. 1
Executive Committee Member, Immediate/Junior	Art. XIII, sec. 5(a)
Voting Member	Art. XIII, sec. 5(a)

POWERS, DISTRICT

Constituent Part of Dept. & Nat'l Legion	Art. III
Transact all necessary business in regular D29 meetings	Art. III, sec. 1
Consider & act upon matters affecting Legion	Art. III, sec. 2
Collect funds from each D29 post	Art. III, sec. 2
Exercise other defined &/or delegated powers	Art. III, sec. 2

PROBATION, POST

Required placement on probation of Posts upon	Art. XII, sec. 1(h)
Failure to submit reports	Art. XII, sec. 1(h)

PROCEDURES

Art. VIII

PURPOSES, DISTRICT

Art. II

QUORUM

Executive Committee Meetings, any 5 voting members	Art. X, sec. 4
--	----------------

General Membership Meetings, majority of posts present Art. V, sec. 4
Art. XI, sec. 1

RECALL

Elected Officers Art. VIII, sec. 2
Upon petition/vote of 10% of District Delegates Art. VIII, sec. 2
Adjutant certifies to Exec. Comm. Art. VIII, sec. 2
Notice to subject officer Art. VIII, sec. 2
2/3s majority vote required Art. VIII, sec. 2
Replacement in same manner as original election Art. VIII, sec. 2

SECOND VICE COMMANDER

Duties Specifically Art. XII, sec. 3
Act as Cmdr./1VC absent or requests Art. XII, sec. 3(a)
Act as Distr. Alternate on Dept. Exec. Comm. Art. XII, sec. 3(a)
Encourage & develop District
Financial/social/vet events/activities Art. XII, sec. 3(b)
Such other duties as assigned by District Cmdr. Art. XII, sec. 3(b)
Election Art. VI, sec. 2
Recall Art. VIII, sec. 2

SERGEANT AT ARMS

Appointed Officer by Commander Art. V, sec. 1c
Duties Art. XIII, sec. 8
Colors advancement/retirement Art. XIII, sec. 8
Perform other as assigned by Post Commander Art. XIII, sec. 8
Preserve order at meetings Art. XIII, sec. 8
Recall Art. VIII, sec. 2

SERVICE OFFICER

Appointed Officer by Commander Art. V, sec. 1c
Dismissal of Art. VIII, sec. 1
Duties: Art. XIII, sec. 11
Keep District informed of Vet issues/services Art. XIII, sec. 11
Advise & counsel on request Art. XIII, sec. 11

STANDING COMMITTEES

Audit Committee Art. XIII, sec. 4
Executive Committee Art. XIII, sec. 4
Finance Committee Art. XIII, sec. 5
Steering Committee Art. XIII, sec. 4
Others deemed necessary by Commander Art. XIII, sec. 6
Art. XIII, sec. 4

STEERING COMMITTEE

Membership: at least 3 appointed members Art. XIII, sec. 6
Duties: membership & service eligibility verification Art. XIII, sec. 6(a)
Art. XIII, sec. 6(b)

THIRD VICE COMMANDER

Duties Specifically Art. XII, sec. 4
Act as Cmdr./1VC/2VC absent or requests Art. XII, sec. 4(a)

Act as Distr. Alternate on Dept. Exec. Comm.	Art. XII, sec. 4(a)
Encourage & develop District Children & Youth Programs	Art. XII, sec. 4(b)
Such other duties as assigned by District Cmdr.	Art. XII, sec. 4(b)
Election	Art. VI, sec. 2
Recall	Art. VIII, sec. 2

Rev. 7/25/21