

**CONSTITUTION & BYLAWS
OF
THE AMERICAN LEGION
DEPARTMENT OF MONTANA
SOUTHERN MONTANA DISTRICT #11**

(Revised Edition April 26, 2020, Annual Spring Meeting, Via Teleconference)

**CONSTITUTION OF THE AMERICAN LEGION
SOUTHERN DISTRICT #11 DEPARTMENT OF MONTANA**

PREAMBLE

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and goodwill on earth; to safeguard and transmit to posterity the principals of justice, freedom and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I

Name

Section 1. The name of this association or organization shall be: "Southern Montana District #11, The American Legion of Montana."

ARTICLE II

Nature

Section 1. This organization shall be an organization of the various Posts of the Department of Montana and shall promote the principals and purpose of Department of Montana American Legion following all rules of that Constitution and By-Laws.

ARTICLE III

Membership

Section 1. The membership of this District shall consist of those Posts which shall be designated from time to time as eligible for membership in Southern Montana District #11 by the Executive Board of The American Legion Department of Montana.

BYLAWS

ARTICLE I

Finance

Section 1. Each Post of District #11 shall remit annual per capita dues to the District with the amount being set by delegates at the regular meeting of the District membership. Per capita dues of each Post shall be based on final membership at end of previous year as determined by Department of Montana Adjutant.

Section 2. Per capita dues shall be due and payable no later than March 1st and Posts will be notified by District Adjutant of that year's amount no later than January 25th of the year due.

Section 3. No Post delegation shall have voting privileges at any Southern Montana District 11 meeting nor a meeting of the Department of Montana American Legion if District per capita is in arrears.

Section 4. The District commander shall receive mileage and per diem to attend the annual Department Convention. The rate allowed shall match that paid by the Department to members of the Department Executive Committee for that Convention.

Section 5. If the District Commander has expenses paid by the Department of Montana, he/she shall reimbursement from only one source.

Section 6. Actual expenses incurred by the District Commander and the District Adjutant in travel making visits to Posts within the District and other necessary activities of the District business will be reimbursed. Receipts and travel history will be required.

Section 7. Expense of District Commander and District Adjutant to regularly called District 11 meetings will be allowed at the rate set by the Department Executive Committee.

Section 8. Actual expense for District meeting registration/meal will be reimbursed for District Commander and District Adjutant.

Section 9. The Executive Board of the District must vote consent for approval or the delegation at a District meeting must vote approval prior to any expenditure of District funds exceeding \$100 beyond those expenses already named.

ARTICLE II

Meetings

Section 1. The annual Spring District meeting for Southern Montana District #11 shall be held on a date selected by The American Legion Department of Montana Executive Board at the Fall Conference with the site selected by the delegates at the previous Fall District Meeting. If no town is selected or the town selected is unable to handle the meeting, the District Commander will designate a meeting site and notify the Department Adjutant and the Post Officers of the District of the site chosen.

Section 2. All additional meetings of this District shall have the site of the meeting selected at a regularly scheduled meeting of Post delegates prior to the meeting. The Department of Montana shall with the aid of the Department Adjutant, designate the date and time of said meetings.

Section 3. (a) Each Post within the District shall have two votes.

(b) Each Post shall have one additional vote for every 100 members or a major portion thereof.

Section 4. The number of votes shall be based on the Post paid up membership number as posted by the Department of Montana American Legion office just prior to the meeting.

Section 5. A quorum for a District #11 meeting shall consist of delegates present from a minimum of thirty (30) percent of the Posts which make up the District.

Section 6. The elected Officers of the Southern Montana District #11 shall be without vote excepting in case of a tie vote, the District Commander may select an uneven number of such Officers to cast the tie breaking vote.

Section 7. A special District meeting may be called by the District Executive Committee or on a petition by fifty (50) percent of the Posts within this District.

ARTICLE III

Elections

Section 1. Every two years at annual Spring meeting of Southern Montana District #11 the body shall elect the following officers to hold office for two (2) years:

- a. District Commander
- b. District Vice Commander

Section 2. Immediately following the election of the new District Commander, and not later than 60 days, said Commander shall/may appoint the following District Officers and Chairman:

- a. Adjutant
- b. Finance Officer (may be same person)
- c. Chaplain
- d. Service Officer
- e. Historian
- f. Publicity Chairman
- g. Oratorical Chairman
- h. Children and Youth Chairman
- i. American Legion Boys State Chairman
- j. Resolutions Committee of e members
- k. Sergeant-at-arms is to be provided by host Post at meeting of the District

Section 3. All elected and appointed District #11 persons shall assume office immediately following close of that years Department Convention and shall hold office for a term of two (2) years or until such time as their qualified replacement is elected or appointed.

ARTICLE IV
Executive Board

Section 1. Executive Board of Southern Montana District #11 shall consist of the elected officers of this District and the Commander of each Post within the District. The District Adjutant shall record minutes of all Executive Board meetings of District #11.

ARTICLE V
Voting

Section 1. Elections shall be by secret ballot unless only one nomination is made and motion carried that a unanimous ballot of election be cast for the candidate.

Section 2. All other voting shall be done by voice vote. However, a roll call vote may be requested by any delegate at a district meeting.

ARTICLE VI
Constitution

Section 1. The Constitution and Bylaws of the American Legion, Department of Montana is the foremost rule of procedure for this District with the District Constitution and Bylaws being secondary rule of procedure.

Section 2. These Articles shall be in force and effect on the date and time of approval by the Delegates of Southern Montana District #11 delegates at a regular meeting.

Approved by District #11 Executive committee vote on April 26, 2020 at regular meeting held via teleconference.


District Commander, Larry Tipton


District Adjutant, Gary Wichman

(Standing Rules attached)

**THE AMERICAN LEGION
DEPARTMENT OF MONTANA
SOUTHERN MONTANA DISTRICT #11**

STANDING RULES

1. The per capita assessed amount due to paid annually shall be at the rate of \$0.45 (45 cents) per Post member on the 31st of December of the year immediately preceding as attested by the Department Adjutant.
2. Per Capita dues shall be due and payable immediately upon receipt of notice from District Adjutant but no later than March 1st of each year.
3. The district commander shall at alternate Fall District meeting appoint a Nominating Committee to select a slate of qualified candidates for positions of District Commander and District Vice Commander willing to serve for the term of two (2) years following.
4. District Commander shall select a three (3) member committee to audit finance records each spring and report results to District members at regular spring meeting.