

CONSTITUTION AND BYLAWS GUIDE

2009-2010

Another year is upon us. The National President's theme is "***Reconnect with our heritage to strengthen our future***" and our Department President Judy's theme is "***Red, White and Blue all year through***" with membership "***Serving Veterans Every Day as a Holiday***".

Reconnecting with our heritage is also learning the Constitution, Bylaws, Standing Rules and the Preamble of our great organization on all levels. Each Unit and District throughout this state should have copies of the National Constitution and Bylaws and Standing Rules, Department Constitution and Bylaws and Standing Rules, District Constitution and Bylaws and Standing Rules and the uniform Unit Constitution and Bylaws. Units in Michigan write Standing Rules and adopt the Unit Constitution and Bylaws as prescribed by the Department of Michigan. The uniform Unit Constitution and Bylaws was first adopted in 1925 and has been change throughout the years. Remember that the Constitution, Bylaws and Standing Rules are all separate documents and each should be available to all members. The Department Constitution, Bylaws and Standing Rules along with the uniform Unit Constitution and Bylaws are available online at www.michalaux.org. The National Constitution, Bylaws and Standing Rules are also available online at www.legion-aux.org, current members.

Districts in the Department of Michigan should write Bylaws and Standing Rules and include in them how their District is run. There are no uniform Bylaws for the District. As stated in the Department of Michigan Standing Rules, "***each District shall organize and adopt Bylaws in conformity with the Department and National constitution and Bylaws.***" These also must be approved by the Department Constitution and Bylaws Chairman and the same requirements for the Units apply to the District (three copies, signed by the President, Secretary or Constitution and Bylaws Chairman and a self-addressed stamped envelope). If a person is both Secretary and Constitution and Bylaws Chairman make sure the President signs the document (have two different signatures).

Standing Rules are rules which are related to the details of the administration of a Unit rather than parliamentary procedure. There are policies that outline the customs or wishes of the Unit or District and are easily adopted or changed as the need arises. Standing rules can be adopted by a majority vote at any business meeting without previous notice given. Standing Rules should be reviewed annually and changes made as necessary to ensure the smooth operation of the Unit or District. These rules need to be updated ***EVERY THREE (3) YEARS and sent to the Department Chairman for approval.*** If no changes are needed, send the

form attached to this guide to the Department Chairman and it will be placed on file. When writing Standing rules, you should not duplicate what is on the Bylaws. After the Unit or District adopt their Standing Rules, be sure they are dated as to when they were adopted, signed by the Constitution and Bylaws Chairman and the President or Secretary (two signatures are required and not all the same person). Please send three (3) copies along with a self-addressed stamped envelope to the Department Chairman for approval or corrections. If a correction is needed, copies will be returned to you, with a letter stating the correction that is required. If approved, one copy will be returned to you, one copy to the Department Headquarters Office and one copy is kept in Chairman file. **Please remember to send a copy of your Standing Rules to your District Chairman of Constitution and Bylaws.**

The objectives of this committee is to assist Units in updating their Standing Rules, have the most current copies on file and serve as a resource person to the Units as requested. The same applies to the Districts, to assist them in updating or writing their Constitution, Bylaws and Standing Rules, have copies on file and serve as a resource person to the Districts as requested. The Constitution, Bylaws and Standing Rules are critical in that they govern the operations of all levels of this organization. These documents should be considered working tools along with the Unit handbook and Policies and Procedures book.

Creating an interest among members to study Constitution and Bylaws is a challenge. It is each member's responsibility to have a copy of the Unit's Constitution, Bylaws and Standing Rules to learn the rules governing your Unit. New members should be given a copy along with their membership card so that they will have the material to study and become interested, productive members.

The Unit Handbook is a comprehensive source of information on the American Legion Auxiliary and its programs; Unit operations and procedures, membership eligibility and prescribed ceremonies. Along with the handbook are the Constitution, Bylaws and Standing Rules that explain the structure of the organization; the governing topics unique to the issues such as: Election of officers; duties and powers of those officers; frequency of meetings; discipline; quorum, etc; and rules which are related to the details of the administration of the organization's level.

The Presiding Officer should always have at hand the Unit Handbook, National, Department and Unit Constitution, Bylaws and Standing Rules. Please us the Unit handbook, Policies and Procedures manual and the current edition of Robert's Rules of Order, Newly Revised (10th Edition). Questions that are not covered under the Constitution, Bylaws and Standing Rules are governed by Robert's Rules of Order, Newly Revised (10th Edition) The Tenth (10th) Edition supersedes all

previous editions and is intended automatically to become the parliamentary authority in organizations whose bylaws prescribe “Robert’s Rules of Order,” “Robert’s Rules of Order Revised,” and “Robert’s Rules of Order Newly Revised,” or “the current edition of” any of these titles, or the like, without specifying a particular edition. If the bylaws specifically identify one of the nine previous editions of the work as parliamentary authority, the bylaws should be amended to prescribe “the current edition of “Robert’s Rules of Order Newly Revised.”

Constitution and Bylaw are classified as an activity and not a program; therefore, there are no awards presented by this committee and no annual reports required. This committee would appreciate hearing from you throughout the year on what you have done on studying the Preamble, The Constitution, Bylaws and Standing Rules of all levels of our organization.

Attached separately, is a sheet with instructions for writing Standing Rules which is very helpful. Please use this attachment.

When a new Unit is formed in your District, provide them with a sample copy of Standing Rules. Make yourself or another member available to them so that they have someone to go too to get their questions answered. This is an important time in our organization, we need to mentor, when a new Unit is formed, and we need to show how happy we are that they have joined us by making ourselves available to assist them.

With the rules set forth by National, Department and Unit, your meeting should run smoothly and efficiently as if every meeting is a Holiday. If this committee can assist you in any way, please do not hesitate to contact any of us listed below. We are here to serve and assist you and your Unit and District in any manner that we can.

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DEPARTMENT OF MICHIGAN
2009-2010

No Changes in Unit/District Standing Rules Form

Unit # _____ of the _____ District has had no changes in their Unit/District Standing Rules.

Please file this as an attachment to the previous file.

President or Secretary

*Constitution and Bylaws
Chairman*

Date _____

Please submit three (3) copies to the Department Constitution and Bylaws chairman along with a self-addressed stamped envelope. One copy will be returned to you for your files.

Approved Date _____

Department Constitution and Bylaws Chairman

CONSTITUTION AND BYLAWS

Resources List

These items, where indicated, are available from the Department Headquarters, American Legion Auxiliary, Department of Michigan, 212 North Verlinden Avenue Suite B, Lansing, Michigan 48915.

ITEM	PRICE
<i>National Constitution and Bylaws (Revised 2007) Department Office-National online 2008</i>	\$ 2.00
<i>Department & Unit Constitution and Bylaws (Revisions made at Convention 2008) Can be found and printed on the website at www.michalaux.org) Department Office or website</i>	\$ 3.50
<i>Policies and Procedures Manual (Revised 1999—Yellow Book) Department Office</i>	\$10.00
<i>Parliamentary Procedure Department Office</i>	\$ 1.25
<i>American Legion Auxiliary Preamble Certificate 8" X 10 1/2") Department Office</i>	\$ 1.25
<i>Unit Handbook Revised 2007) Department Office</i>	\$10.00

Robert's Rules of Order Newly Revised, Latest Edition available from National Emblem Sales cost of \$29.95, or purchase at your local bookstore.

*National Association of Parliamentarians website |
www.parliamentarians.org*

*National American Legion Auxiliary website
www.legion-aux.org*

Shipping and packing not included in the above prices

Most of these items are also available from National Emblem Sales, The American Legion, P O Box 1050, Indianapolis, Indiana 46206 or telephone 1 888 4LEGION or online at emblem.legion.org

Guidelines for Writing Unit or District Standing Rules

Every set of Standing Rules needs to be preceded with this statement before the first rule is listed:

The _____ (Unit name and number)) of the _____ District, American Legion Auxiliary, hereby adopts the Unit/District Constitution and Bylaws as prescribed by the American Legion Auxiliary, Department of Michigan. (See Unit Bylaws, Article VIII, Section 14)

This Unit or District (whichever applies) shall be governed by the current edition of Robert's Rulers of Order, Newly Revised, in all questions not governed by the articles of the National, Department and Unit Constitution and Bylaws."

Then start with listing your Standing Rules.

The following is an outline or guide for Units and Districts when writing or updating their Standing Rules. Not every item will apply to everyone and some things that concern your Unit or District may not be listed, but we hope these guidelines will be helpful.

1. State the time (day and hour) of meetings, place of meeting and information on notification of meetings. Are you meeting all 12 months? (See Unit Bylaws, Article VI-Meetings)
2. Dues—Senior, Junior, Gold Star Mothers, Life Members)
3. Process for selection Life Members
4. Election—(See Unit Bylaws, Article I & II)
 - a. When will elections be held
 - b. Secretary and /or Treasurer-elected or appointed?
 - c. A nominating committee-yes or no? Elected per Robert's Rules of Order)
5. Election of delegates for Department Convention and District meetings and Representatives to Fall Conference. When bad how selected (Unit Bylaws, Article I, Section 2)
6. Installation f officers. When, where, who is to be in charge (Unit Bylaws, Article I)
7. Equipment—Rules for loaning, maintenance, etc
8. Finances
 - a. Rent
 - b. Utilities
 - c. Working funds for officers, chairmen, poppy purchases, Girls State, VA & R etc.
 - d. Annual gifts for District President, retiring officers, etc.
 - e. Flowers and or gifts for illness, death etc
 - f. Expenses for delegates to Department Convention and District meetings and Representatives for Fall Conference, etc. (Registration fee, mileage, per diem)

- g. How bills are paid and who signs the checks
 - h. Contest prizes—how much for Poppy awards, Essay etc
 - i. Department and District Mandatory Dues
 - j. Arrangements for special dinners—funerals etc
 - k. Annual donations to special programs and charities
9. The fiscal year of this Unit will be July 1 through June 30 inclusive (See Unit Bylaws, Article III)
 10. Audit-when bad by whom (Unit Bylaws, Article X, Section 4)
 11. This paragraph should appear at the end of your Standing Rules. “These Standing Rules may be amended by a two-thirds (2/3) vote at any regularly scheduled meeting, or if notice has been give, by a majority vote These shall become effective only after approval of the Department Constitution and Bylaws chairman, in order that the Units/District is operating with proper Standing Rules.”
 12. The dates of the Unit or District meeting at which these Standing Rules were approved MUST be shown. ALSO-The signatures of the unit or District Constitution and Bylaws Chairman and the Unit or District President or Secretary MUST appear on the bottom of the list.(Two different people)

MAIL three (3) copies of your Standing Rules, as approved by your membership, to the Department Constitution and Bylaws Chairman. One copy will be returned either for corrections or approved. ENCLOSE a self-addressed stamped envelope for the return of your copy. One copy is for the Department Office and one to be kept on file for the Department Chairman. (It is important that we have the name and address of a person to contact in the Unit)