



CONSTITUTION OF

THREE RIVERS DISTRICT NO. 8

THE AMERICAN LEGION

DEPARTMENT OF MONTANA

**CONSTITUTION
FOR
DISTRICT NO. 8
AMERICAN LEGION
DEPARTMENT OF MONTANA**

ARTICLE I

Section 1. The name of this organization shall be Three Rivers District No. 8, The American Legion, Department of Montana.

Section 2. The District Headquarters and principal place of business shall be the address of the District Commander.

ARTICLE II

**Nature, Objects,
Purposes and Jurisdiction**

Section 1. Three Rivers District No. 8 shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

Section 2. Three Rivers District No. 8 shall not become involved in any controversy regarding litigation, purported policies of The Legion or other serious matter without approval of the Department Executive Committee of The American Legion.

Section 3. The objects and purposes of this organization are and shall be to uphold, maintain and promote the principles and policies enunciated and advocated by the Department and National Constitutions.

Section 4. To assist and further as far as possible, all projects designated for and tending to promote the welfare, good fellowship

and acquaintance of Posts in Three Rivers District No. 8 and the Department of Montana.

Section 5. Three Rivers District No. 8 shall have that jurisdiction within the boundaries, which are determined and fixed by the Executive Committee of The American Legion, Department of Montana and designated as District No. 8.

ARTICLE III

Organization and Membership

Section 1. All local Posts of The American Legion, Department of Montana, within the jurisdiction of Three Rivers District No. 8 shall become members of Three Rivers District No. 8, The American Legion, Department of Montana.

Section 2. Three Rivers District No. 8 shall have advisory and supervisory powers over the Posts included within its District, subject to the National and Department Constitutions.

Section 3. Any Post organized within Three Rivers District No. 8, which has not paid the legal dues (per capita) prescribed to Three Rivers District No. 8, or who refuses to obey the lawful mandate, constitution of the District, shall not be entitled to official representation at any meeting of Three Rivers District No. 8 until such failure has been met by a compliance therewith.

ARTICLE IV

Revenue

Section 1. Each Post of Three Rivers District No. 8 shall contribute dues to the District Finance Officer in accordance with the amount set by the delegates at a regular meeting of the District. Dues shall be based on a per capita base of Post membership. Per capita, as set by a District resolution, is 50 cents per member.

Section 2. In the event it becomes necessary to raise the District dues, a two-thirds vote of the members present is required at a regular District meeting.

Section 3. The District Finance Officer shall prepare and submit a proper bill showing the sum due the District to the Commander of each Post in the District, and said Post Commander shall be responsible for the prompt payment of said dues on or before the regular Spring Meeting.

Section 4. The fiscal year of the District shall be from July 1st to June 30th of the following year.

ARTICLE V

Administration

Section 1. There shall be at least two meetings held annually, Spring and Fall. Meetings are to be held on a date to be determined by the Department Executive Committee of The American Legion, Department of Montana. The Post representatives present at each District meeting will determine the place of the next meeting. If a Post withdraws from the meeting place prior to the meeting date, the District Commander will select the place of the meeting.

Section 2. All elected District Officers, except the District Commander, shall be entitled to one vote each; in the case of a tie vote, the District Commander may vote.

Section 3. The apportionment of voting power at all District meetings shall be as follows:

- a. Each Post, with current dues (per capita) and assessments paid, shall have three votes.

- b. Each Post shall have one additional vote for each 35 members, or major portion thereof.**
- c. Post membership shall be considered as that recorded at the Department Headquarters on July 1st of the preceding year.**

Section 4. Notice of each meeting shall be given to each Post belonging to Three Rivers District No. 8 by written notice at least 30 days prior to such meeting.

Section 5. Actual expenses incurred by the District Commander in travel to make official visits to Posts of the District will be reimbursed subject to approval by the Auditing Committee, with the consent of the delegates at any regular District meeting. Actual travel expense of the District Commander and District Adjutant to any regularly called District meeting will also be reimbursed.

Section 6. The order of business at the District meetings shall be as follows;

- a. Call to Order**
- b. Invocation**
- c. Address of welcome**
- d. Response**
- e. Roll call of District Officers and Posts**
- f. Reading of minutes of previous meeting**
- g. Appointment of committees**
- h. Introduction of guests**
- i. Recess**
- j. Old business**
- k. Report of Committees**
- l. New business**
- m. Spring Meeting – Report of nomination committee and election of District Officers**
- n. Selection of next meeting place and potential date**
- o. Good of the Legion**
- p. Invocation**
- q. Adjournment**

ARTICLE VI

District Officers

Section 1. At the annual Spring Meeting of District No. 8 the following District Officers shall be elected.

- a. District Commander**
- b. District Vice Commander**
- c. District Finance Officer**
- d. District Sergeant-at-Arms**
- e. District Chaplain**

Section 2. Immediately after the election, and within 60 days thereof, the District Commander shall appoint the following District Officers;

- a. District Adjutant**
- b. District Historian**
- c. District Service Officer**

Section 3. The District Executive Committee shall consist of the elected District Officers and the Post Commanders of each Post comprising the District. The District Adjutant shall attend the meeting of the District Executive Committee and act as secretary thereof, without a vote.

Section 4. All elective and appointive District Officers shall assume office after the Department Convention, and shall hold office for a term of one year, or until their successors are duly elected or appointed and qualified.

Section 5. In the event of the inability for any reason of the District Commander to perform the duties of his/her office, the District Vice Commander, with the approval of the District Executive Committee, shall immediately assume the duties of the District Commander during such period of inability.

Section 6. No person shall be eligible to hold office in Three Rivers District No. 8 unless he or she is a member in good standing of a Post within this District. It is strongly suggested that the candidates for offices have completed The American Legion Extension Course or complete said course as soon as possible after their election.

Section 7. Elections shall be by secret ballot unless only one nomination is made, and motion carried that a unanimous ballot be cast for the nominee.

ARTICLE VII

Emergency District Meeting

Section 1. Whenever the District Executive Committee, or fifty percent (50%) of the Posts petition that an emergency exists which requires the calling of an emergency District meeting, such a meeting shall be called.

Section 2. At least ten days notice of such an emergency meeting shall be given in writing by the District Adjutant to all Posts within the District, and which notice shall specify the emergency that exists and the reason for calling the meeting.

Section 3. Only business pertaining to the emergency for which said meeting was called may be transacted at said meeting.

ARTICLE VIII

Liabilities

Three Rivers District No. 8, The American Legion, Department of Montana shall not be liable for any debts or contracts of any local Post.

ARTICLE IX Auxiliaries

Section 1. Three Rivers District No. 8, The American Legion, Department of Montana, recognizes an Auxiliary organization known as Three Rivers District No. 8 Auxiliary.

Section 2. Three Rivers District No. 8 Auxiliary shall be governed by such rules and regulations as may be prescribed by the National Executive Committee, The American Legion, and thereafter approved by the Department of Montana.

ARTICLE X Amendments

This Constitution may be amended at any authorized District meeting by a vote of two-thirds of the delegates present.

This Constitution and all articles and sections thereof shall have full force and effect on and after the day of 2005. The Constitution heretofore duly adopted and all articles and sections thereof together with all amendments thereto are hereby repealed and shall cease to be effective on and after the day of 2005.

Done and dated at *Simms* **, Montana, this** *6* **day of** *Oct., 2005*

Buben G. Hard

Three Rivers District No. 8 Commander

Ken Knudson

Three Rivers District No. 8 Adjutant