



**Constitution and By-Laws**

**OF THE**

**26<sup>TH</sup> DISTRICT**

**DEPARTMENT OF PENNSYLVANIA**

## PREFACE TO

### Constitution & By-Laws

### 26<sup>th</sup> District, Department of Pennsylvania

The Constitution and By-Law's contained herein, were reviewed, and approved by the 26<sup>th</sup> District, Department of Pennsylvania of The American Legion on 17 November 2024. The review process was completed to comply with the American Legion Constitution and implement uniform District By-Laws within the Department of Pennsylvania.

Only the By-Laws sections may be modified, and only by an appointed District By-Laws Committee for subsequent approval and adoption by the District, and in accordance with the Constitution and By-Laws of the Department of Pennsylvania. Any other changes or modifications shall be approved by the Department Judge Advocate.



William R. McCoy, Jr.  
26<sup>th</sup> District Judge Advocate

17 Oct '24  
Date

# CONSTITUTION OF THE 26<sup>TH</sup> DISTRICT

## THE AMERICAN LEGION DEPARTMENT OF PENNSYLVANIA

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### ARTICLE I

#### Name

Section 1. The name of this organization shall be the 26<sup>th</sup> District, The American Legion, Department of Pennsylvania.

### ARTICLE II

#### Object

The object of this organization shall be set forth in the National Constitution of The American Legion.

### ARTICLE III

#### Powers

The 26<sup>th</sup> District shall exercise all powers conferred by the Constitution of the Department of Pennsylvania American Legion, and such other powers as may be duly obtained.

### ARTICLE IV

#### Membership

Section 1: The membership of this organization shall be composed of delegates or alternates duly appointed or elected by the Posts of Beaver, Butler, and Lawrence Counties to the Department Convention. Each Post shall be entitled to one delegate or alternate for each one hundred paid members determined as of thirty days prior to the Annual Department Convention. In addition to the delegates selected by the Posts, the District Commander shall represent the District as a delegate at large.

Section 2. Past District Commanders of the 26<sup>th</sup> District shall be ex-officio delegates to District meetings with the privileges of the floor but shall be without vote unless they be otherwise duly elected delegates of their Post.

Section 3. Each Post shall be entitled to vote the number of delegates the Post is entitled to, provided that the Post is represented by at least one duly elected or appointed delegate or alternate.

### ARTICLE V

#### Officers

The officers of the District shall be a District Commander, a District Vice Commander, and one or more of each of the following positions: Deputy Commanders, District Adjutant, District Finance Officer, District Chaplain, District Judge Advocate, District Sergeant-At-Arms, and such other officers as the District shall prescribe.

**ARTICLE VI District  
Meetings and Caucuses**

Section 1. The District shall meet whenever called by the District Commander; but not less than four times per Legion year. The June meeting shall be the caucus which shall not be held earlier than thirty days prior to the Department Convention. Meeting start time shall be 1:00pm local time.

Section 2. A Special meeting may be called at the discretion of the District Commander or shall be called by him/her upon the written petition by five Posts. When so petitioning, no more than ten days shall elapse between the receipt of the petition and the convening of the meeting.

Section 3. A quorum shall exist when a majority of the voting strength of the District shall be present, except at a caucus of the Department Convention, when the Department requirement shall apply.

**ARTICLE VII  
District Commander and Vice Commander**

Section 1. The District Commander, and Vice Commander, shall be elected as provided in Article VII, Section 4, of the Department Constitution (for two years in even numbered years) at the June caucus preceding the Department Convention.

**ARTICLE VIII  
District Finance Officer**

The District Finance Officer shall be elected at the caucus meeting of the District held in the odd number years and shall serve for two years. A majority of the votes of the accredited delegates shall be necessary to elect a District Finance Officer.

**ARTICLE IX  
Amendments**

Amendments to this Constitution shall be proposed in writing and signed by at least ten delegates of the District. A proposed amendment may be submitted at any regular meeting or caucus of the District. Such amendments shall then be considered at the next regular or special meeting of the District, and notice of such consideration shall be contained in the notice of that meeting. All amendments must be adopted by a two-thirds majority of the votes cast.

**BY-LAWS OF THE 26th DISTRICT**  
**AMERICAN LEGION DEPARTMENT OF PENNSYLVANIA**

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**ARTICLE I.**

**Name**

The organization existing under these by-laws shall be known as the 26th • District, American Legion, Department of Pennsylvania.

**ARTICLE II**

**Object**

The object of this organization is as set forth in the District Constitution.

**ARTICLE III**

**Duties of Officers**

Section 1. Commander

- a) The District Commander shall represent the District in all matters and shall determine that the spirit and aim of the Legion is the foremost goal of each Post. S/he shall be responsible for the installation of Post officers in the District. S/he shall make an annual inspection of each Post in the District. S/he shall stimulate growth of The American Legion and active participation in The American Legion programs.
- b) S/he shall investigate all applications for Post charters and make recommendations of approval or disapproval to the Department Commander.
- c) S/he shall recommend the suspension, revocation or cancellation of existing charters for good and sufficient reasons.
- d) S/he shall act as Chair at all District meetings and caucuses.
- e) S/he shall discharge such additional duties as may be delegated by the Department Commander and/or by the Department Executive Committee, including the enforcement of all mandates of The American Legion.
- f) S/he shall appoint such Deputy District Commanders as s/he may deem proper.
- g) S/he shall appoint the other officers of the District.
- h) S/he shall recommend to the Department Commander members to fill the various committees.
- i) S/he shall perform all other duties as provided in the Department Constitution and by-laws.

Section 2. The duly elected Vice Commander shall perform all functions and responsibilities of the District Commander when directed, or when the Commander is absent or otherwise unavailable or unable to perform his/her duties.

Section 3. The Deputy District Commander(s) shall, under the direction of the District Commander, exercise such authority and perform such duties as the District Commander shall assign.

Section 4. The District Adjutant(s) shall conduct the correspondence and keep the files and records of the District.

Section 5. The District Finance Officer(s) shall be charged with the collection of dues and custody of the funds of the District. S/he shall make a financial report at each District meeting.

Section 6. The District Chaplain(s) shall officiate at District meetings and caucuses and shall perform such other duties ordinarily incident to the office of Chaplain.

Section 7. The District Judge Advocate(s) shall be the administrative and compliance advisor to the District Commander and his/her staff and advise the District to ensure compliance with The American Legion Constitution and By-Laws. The District Judge Advocate may also advise on legal matters to the extent s/he is qualified and as permitted by law.

Section 8. The District Sergeant(s)-At-Arms, shall serve as aide(s) to the District Commander and Perform such duties as are incident to the office of Sergeant-At-Arms.

#### **ARTICLE IV**

##### **Dues**

Section 1. Each County shall pay to the District not more than \$0.20 (20¢) per annum for each member of the County, based upon the previous year's total members. Such dues shall be payable on or before the second regularly scheduled District meeting.

Section 2. Any Post failing to remain paid-in-full, shall be ineligible to vote in any election or on any business brought before the District.

Section 3. County Committees or Councils, and individual Posts *cannot* be held liable for any obligations or commitments other than for their dues.

#### **ARTICLE V**

##### **Amendments**

Amendments to these by-laws shall be proposed in writing and signed by at least ten delegates of the District. A proposed amendment may be submitted at any regular meeting or caucus of the District. Such amendments shall then be considered at the next regular or special meeting of the District, and notice of such consideration shall be contained in the notice of that meeting. All amendments must be adopted by a two-thirds majority of the votes cast.

#### **ARTICLE VI**

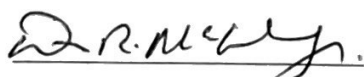
These by-laws shall be reviewed every odd year.

#### **ARTICLE VII**

These by-laws shall become effective at the close of the Department Convention immediately following their adoption.

#### **ADOPTION**

Adopted at the District meeting held at Wampum, Pa., on the 17<sup>th</sup> day of November, 2024, at The American Legion Post #749.

  
William R. McCoy, Jr.  
26<sup>th</sup> District Judge Advocate

  
Dean M. Noechel  
26<sup>th</sup> District Commander