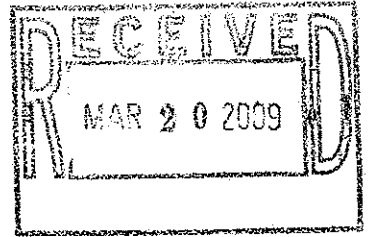


THE AMERICAN LEGION
DEPARTMENT OF CALIFORNIA

401 Van Ness Ave., Rm 117
San Francisco, CA 94102-4587



Post No. _____ Direct To: _____ Post _____

District 29 File

Area 5 Date 2/19/09

(Mailing Address)

Your articles, as submitted have been reviewed and disposed of as follows, by this commission:

ARTICLES RECEIVED:

	Approved	Disapproved
() Const. & By-Laws	_____	_____
() By-Laws	_____	_____
() Amendment	_____✓_____	_____

Article XII Section <u>4</u>	Article _____ Section _____
Article _____ Section _____	Article _____ Section _____
Article _____ Section _____	Article _____ Section _____

REMARKS:

If the Constitution & By-Laws, By-Laws or the Amendments have been marked "Not approved", please correct your submission by regular Post procedure, to comply with the instructions below and submit **TWO** copies of same to Dept. Headquarters at the address on the top of this page. Thank you.

DATED 3-8-09

Joseph Garcia
Constitution & By-Laws
Commissioner AREA 5

BY-LAWS OF THE TWENTY-NINTH DISTRICT, INC.
THE AMERICAN LEGION
DEPARTMENT OF CALIFORNIA

INCORPORATED UNDER THE LAWS OF THE STATE OF CALIFORNIA and filed with the secretary of state, March 31, 1964. File #467946

Filed with the County of Orange, by Attorney at Law, Harold E. Heinly, with a copy of the Articles of Incorporation on file with the 29th District Adjutant.

ARTICLE I - Membership

Section 1. Membership in this District shall include all of the American Legion Posts in the 29th District Inc., American Legion, Department of California.

ARTICLE II - Powers

Section 1. The District shall have power to consider and act upon matters effecting the welfare of the American Legion.

Section 2. The District shall be authorized to collect funds from each Post in the 29th District on a Per Capita Basis, upon the recommendation of the District Executive Committee, the amount to be paid upon being read at two regular meetings, A quorum being present and adopted by two-thirds affirmative vote of those posts present and voting and shall be based upon the previous Department Convention Membership Report.

Section 3. The District shall have other powers as defined by the Department Constitution and By-Laws.

ARTICLE III - Representation

Section 1. Representation to all District Meetings shall be the duly elected Delegates or Alternates from each Post in the 29th District.

Section 2. (a) Each Post shall be represented in the District Meetings by Two Delegates, plus one delegate for each fifty members or major fraction thereof, based on membership as announced by the State Department for representation to the State Convention last passed provided that representatives from any one Post shall not be less than three (3) Delegates.

(b) 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.

Section 3. All Posts, as provided in the Department Constitution and By-Laws, are entitled to vote their full delegation, therefore, one delegate can vote the full delegation. Vote shall be by roll call of Posts.

Section 4. It shall be the duty of the Adjutant of each Post to furnish the District Commander with a true list of all such regularly elected Officers, Delegates and Alternates, prior to the pre-Department Convention Caucus.

Section 5. The respective Posts shall fill vacancies in their delegation by election, and shall be entitled to fill any vacancy created by elevation of a delegate to the position of District Commander.

Section 6. (a) All past Twenty-First District Commanders from Orange County, all past Orange County Council Commanders and all past Twenty-Ninth District Commanders shall be Delegates At-Large from their respective Posts.

ARTICLE III - Representation (Continued)

(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 term of office.

(c) At the annual pre-Convention Caucus election meeting, all Posts are entitled to vote their full delegation whether present or not at the annual election as provided in the Department Constitution and By-Laws. One Delegate can vote the full delegation.

ARTICLE IV - QUORUM

Section 1. A quorum shall exist when a majority of the Posts in the 29th District are represented.

ARTICLE V - OFFICERS

Section 1. The Officers of the District shall be the Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Adjutant, Finance Officer, Chaplain, Judge Advocate, Historian, Service Officer, Sergeant At Arms, Junior Past Commander, and Five (5) Executive Committee persons.

Section 2. The Adjutant, Finance Officer, Chaplain, Judge Advocate, Historian, Service Officer, and such assistant as the Commander deems necessary, shall be appointed, by the Commander.

Section 3. The elective Officers shall be the Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Sergeant At Arms, and five (5) Executive Committeemen.

Section 4. The elective officers shall be elected by a majority roll call by posts and shall serve a term that shall correspond with that of elective Department Officers, elected at the annual Department Convention.

ARTICLE VI - NOMINATIONS

Section 1. Nominations for Department Vice Commander representing Area 5, from the 29th District, nominations shall be open at the meeting next previous to the election, and shall remain open until the election meeting. The elective officer shall be elected by a majority by roll call of posts and shall serve a term that shall correspond with that elective department officer. Election to this office shall be conducted by 29th District By-Laws and Rules, Not by Department Rules.

ARTICLE VII - DISMISSAL AND RECALL

Section 1. In the case of an appointed Officer or Committeeman, the District Commander, subject to ratification of the Executive Committee, may remove any members 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 an elected Officer may occur whenever ten percent of the District Delegates have 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 office 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 vote 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 VII - DISMISSAL AND RECALL (Continued)

Section 3. In the event any District Officer shall be absent for three (3) consecutive meetings including executive board meetings, without being excused by the Commander, the office which such District Officer occupies shall be declared vacant by a majority of the Delegates present and voting at a regular District Meeting. Written notification to all Posts that such vote will be 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.

ARTICLE VIII - AMENDMENTS

Section 1. Proposed amendments to these by-laws must be submitted in writing at a regular meeting of the District, read there at and at the next regular meeting, the proposed amendment may be adopted by a two-thirds (2/3) affirmative vote of the Delegates present and voting.

Section 2. The provisions hereof shall be automatically changed to conform to the Department or National Constitution and By-Laws of the American Legion.

Section 3. These articles shall take effect when approved by a two-thirds (2/3) of the Posts in the 29th District, representing two-thirds (2/3) of the Delegates and shall be binding upon all posts in the 29th District.

ARTICLE IX - PROCEDURE

Section 1. The procedure at all meetings shall be set forth in Roberts Rules of Order and the American Legion manual of Ceremonies, except as otherwise provided herein.

ARTICLE X - MEETINGS

Section 1. The regular meeting of the 29th District shall be set, date and time, by recommendation of the District Executive Committee upon being read at one regular meeting, quorum being present, and adopted by a two-thirds vote or by a majority of those present and voting. Except for July Installation of Officers and except when the second Sunday falls on a Legal Holiday, at which time the District Commander shall set the date.

Section 2. Special meetings shall be called by the Commander, and must be called upon written request of five (5) Commanders of member Posts.

Section 3. Notices of all special meetings must be mailed by the Adjutant to the Delegates of each member Post at least ten (10) days in advance of such meetings, stating the time and place of the meeting.

ARTICLE XI - DUTIES OF THE OFFICERS

Section 1. The District Commander shall be the Executive head of the District. He shall preside at all meetings of the District, shall appoint all committees required to carry out the Department programs and such other Officers and Committees as shall be ordered by the District.

Section 2. Vice Commanders shall act as representatives of the District Commander on all matters referred to them by him and in his absence shall preside at all meetings of the District in the order of seniority. The Third Vice Commander's basic duty shall be chairman of the Children and Youth Program and such other duties assigned by the District.

Section 3. The Adjutant shall give notice of all meetings of the District to all Delegates, and shall keep minutes of all such meetings. He shall conduct correspondence, keep the records of the District, and shall perform such duties as are usually incident to the office.

Section 4. The Finance Officer shall collect the dues, and be charged with the custody of the funds of the District, shall keep its accounts and report thereon at all regular meetings of the District. He shall pay all bills when audited and approved in such a manner as the District shall prescribe.

Section 5. The Sergeant At Arms is an aid to the District Commander and is responsible for the District Colors and their advancement and retirement, and shall perform such other duties as assigned to him by the District Commander.

Section 6. The Historian shall be responsible for the history of the District and the recording of the same.

Section 7. The Judge Advocate shall be responsible for the rulings on procedure and interpretation of the District, State, and National By-Laws.

ARTICLE XII - STANDING COMMITTEES

Section 1. The standing committees shall be the Executive Committee, Finance Committee, Audit Committee and such other committees as the Commander may determine necessary.

Section 2. The Executive Committee shall consist of the elective Officers of the District, The Junior Past Commander and five (5) elected members. The Executive Committee shall consider all matters pertaining to the District, and shall make recommendations to the District.

Section 3. The District shall elect its Officers and Executive Committeemen at the District Department pre-Convention caucus.

Section 4. The Steering Committee (Committee) shall consist of no fewer than three members, appointed by the Commander. The duty of the Committee is to verify the eligibility of all members, entitled to wear the District cap, in seeking election or appointment to office in the 29th District. The Committee shall review a member's documents establishing eligibility for the American Legion. These documents are, but not limited to, a member's honorable discharge from active duty, a DD-214 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.

CERTIFICATION


The Bylaws of the American Legion, Department of California, 29th District, Inc. were amended by a two-thirds majority vote, at a quorum present, of those Delegates voting. The Amendment added Section 4. to ARTICLE XII – STANDING COMMITTEES concerning the duties of the Steering Committee.

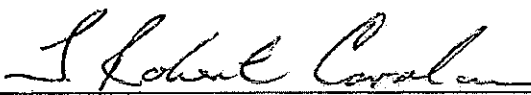
As prescribed by ARTICLE VIII-AMENDMENTS, the readings were as follows:

FIRST READING was December 14, 2008.

SECOND READING was February 8, 2009.

ADOPTION was by unanimous vote taken on February 8, 2009.

Signed: 
29th District Commander John Chizmar

Signed: 
29th District Adjutant T. Robert Carolan