



WORCESTER COUNTY COUNCIL, DISTRICT 4 CONSTITUTION AND BYLAWS

ARTICLE I

Name

The name of this organization shall be WORCESTER COUNTY COUNCIL, DISTRICT 4 of THE AMERICAN LEGION, DEPARTMENT OF MASSACHUSETTS, INC.

ARTICLE II

Purpose

The purpose of the Council shall be to bring together representatives of the various Posts of The American Legion within the County of Worcester in order to foster a better mutual understanding among the Posts and their individual members.

ARTICLE III

Membership

Section 1. Any duly chartered Post of The American Legion in the County of Worcester, provided such Post is in good standing, and shall be eligible for membership in the council. Each member Post shall be represented in the Council by two delegates duly chosen by the Post, each of who shall have one vote, and it is the recommendation of the Council that the Post Commander be one such delegate.

Section 2. In the event or the inability of either of the Delegates to attend a Council meeting, a Post may be represented at such a meeting by Alternates, appointed or elected as the Post may determine.

Section 3 All Post representatives and Past District 4 Commanders shall register with the Adjutant prior to the calling of the meeting to order.

Section 4 Representatives and Past District 4 Commanders arriving after the opening of the meeting shall present themselves to the Sergeant-at-Arms, who will announce their presence at the meeting, and the Adjutant shall record them as present.

Section 5 All motions from the floor shall be by voice vote. If the vote is doubted, the District Adjutant or any member may request a roll call of the Delegates or Alternates registered at the meeting.

ARTICLE IV Officers

Section 1. The Officers of the Council shall be a Commander, Senior-Vice Commander, Junior-Vice Commander, Adjutant, Assistant Adjutant, Finance Officer, Assistant Finance Officer, Chaplain, Assistant Chaplain, Judge Advocate, Assistant Judge Advocate, Sergeant-at-Arms, two Assistant Sergeants-at-Arms, Service Officer, two Assistant Service Officers, Historian, three Executive Committee, all past District 4 Commanders and Aide to the Commander.

Section 2. The Department Executive Committee member and the Department Alternate Executive Committee member shall be respectively the District 4 Commander and the District 4 Senior-Vice Commander.

Section 3. The Judge Advocate, Service Officer, Assistant Service Officer, Assistant Adjutant, Assistant Chaplain, Sergeant-at-arms and Aide to the Commander shall be appointed by the Commander, with the approval of the Executive Committee of the Council. Two Assistant Sergeant-at-Arms shall be appointed one each by the Senior-Vice Commander and the Junior-Vice Commander, with the approval of the Executive Committee of the Council.

Section 3a. The immediate Past Commander of the Worcester County Council, and all previous Past District 4 Commanders, if in good standing in his Post, shall be without further election, a member of the Executive Committee of the Worcester County Council, with voice and vote,

Section 4. The Commander may appoint a member of the Council to hold temporarily any office which, for any reason, has become vacant, and at the next succeeding meeting of the Council, if the vacancy still exists, the office shall be filled by regular appointment, if the office is appointive, and by election, if the office is elective, provided notice of the election is contained in the call of the meeting.

Section 5. The Executive Committee shall consist of the appointive and elective officers heretofore mentioned, the immediate Past Commander of District 4. There shall be three Executive Committeemen on the Council, one of whom shall be nominated by and from each of the three Sub-Districts as herein after defined; and elected by the Posts within each of the respective Sub-District Councils, and he / she so elected as the Sub-District Commander, shall automatically be the Executive Committeeman to the Worcester County Council.

Section 6. Worcester County Council shall be divided into three Sub-Districts as follows:

Sub-District 1(NORTHERN WORCESTER COUNTY)

Barre	No. 2
Fitchburg	No. 10
Clinton (James R. Kirby)	No. 50
Lancaster (E. H. Minigan)	No. 96
Athol (Edward H. Phillips)	No. 102
Harvard (Edward Thomas)	No. 119
Gardner	No. 129
Ashburnham (Thomas P. Sweeney)	No. 142
Leominster	No. 151
Westminster (Wm. S. Miller)	No. 174
Sterling (Hiram O. Taylor)	No. 189
Winchendon (Eugene M. Connor)	No. 193
Gilbertville (John J. Weir)	No. 246
Bolton (D. O. N. Edes)	No. 258
Baldwinville (Lt. Roger P. Warfield)	No. 373
Petersham	No. 415
Fitchburg (Cleghorn)	No. 429

Sub-District 2 (CENTRAL WORCESTER COUNTY)

Holden (John E. Harkins)	No. 42
Spencer (Gaudette-Kirk)	No. 138
Southboro (Bagley-Fay)	No. 161
Berlin (H. Wallace Woodward)	No. 162
Westboro	No. 163
Worcester (East Side)	No. 201
West Boylston (Harold N. Keith)	No. 204
Rochdale (Shannon-Davis)	No. 205
Northboro (Vincent F. Picard)	No. 234
Shrewsbury (Ray Stone)	No. 238
Worcester (Tatnuck)	No. 288
Paxton	No. 306
Rutland	No. 310
Worcester (Quinsigamond)	No. 318
Worcester (Greendale)	No. 319
Worcester (Grafton Hill)	No. 323
Worcester (Main South)	No. 341
Shrewsbury (Victor R. Quaranta)	No. 397
Boylston (Barton-Brown-Button)	No. 398
Worcester (Vernon Hill)	No. 435
Leicester (Cherry Valley)	No. 443

Sub-District 3 (SOUTHERN WORCESTER COUNTY)

Millbury (Devoe-Taylor)	No. 9
Southbridge	No. 31
Uxbridge (Charles A. Rice)	No. 33
South Grafton (Alfred J. Demers)	No. 37
North Brookfield (Sawyer-Mathieu-Kearns)	No. 41
Oxford	No. 58

Milford (Sgt. John W. Powers)	No. 59
Grafton (Delisle-Goulet)	No. 92
Sturbridge (Champeau-Vilandre)	No. 109
Upton (Marshall-Leland)	No. 173
Webster (Webster-Dudley)	No. 184
West Brookfield (Adams-Coney-Frew)	No. 244
Auburn (Chester P. Tuttle)	No. 279
Northbridge (Oliver Ashton)	No. 343
Mendon (Roger L. Wood)	No. 355
East Brookfield	No. 386
Charlton	No. 391
Millville (Millville Memorial)	No. 411
Sutton (Dudley-Gendron)	No. 414

Section 7. Each Sub-District Commander may, at their discretion, cause regular meetings to be held by their Sub-District, and to render an annual report to the Worcester County Council at the May meeting listing the results, accomplishments and condition of their Sub-Districts.

Section 8. Each Sub-District Commander is a member, by virtue of his or her election as Executive Committeeman to the Worcester County Council, on committees, such as Ways and Means, Membership and any others designated by Worcester County Council under this section to attend such a meeting called by the Chairman of the designated committee, he or she shall arrange to have a representative from his or her Sub-District present at such meetings. It follows that the Senior-Vice Commander or the Junior-Vice Commander of said Sub-District will represent the Sub-District at these meetings.

ARTICLE V

Duties of Officers

Section 1. The Commander shall preside at all meetings of the Council, shall have appointive powers as set forth above, shall act as Chairman of the Executive Committee and shall have other executive powers as become necessary in the regular course of business of the Council.

Section 2. The Senior-Vice Commander shall preside at the meetings in the absence of the Commander and shall automatically become Commander if for any reason the Commander's office becomes vacant. The Senior-Vice Commander shall serve as the Worcester County Council membership chairman and representative on the Department Membership Committee unless otherwise designated by the Department Commander.

Section 2a. The Junior-Vice Commander shall rank next to the Senior-Vice Commander among the officers of the County Council, whose precedence is by virtue of the fact that he or she is Alternate Department Executive Committeeman. The Junior-Vice Commander shall perform such duties as are generally prescribed for such office, together with such other duties as may be delegated to this officer by the County Commander and the Executive Committee of the Council, not in conflict with the duties of other officers. The Junior-Vice

Commander shall serve as Vice Chairman of membership for Worcester County Council.

Section 2b. The Junior-Vice commander shall automatically become the Senior-Vice Commander if for any reason the Senior-Vice Commander's office becomes vacant.

Section 3. The Adjutant shall keep all records of the meetings of the Council and have charge of the correspondence of the Council.

Section 3a. The Assistant Adjutant shall serve in the absence of the Adjutant.

Section 4. The Finance Officer shall be charged with the collection and custody of all monies, debts, obligations of the Council and shall safely keep same. He or she shall be charged with the collection of all County dues, a notice of which shall be sent to all Posts within 45 days of the close of the annual Department Convention, and shall keep the accounts of the Council. His or her accounts shall be reviewed / audited annually. He or she shall be the Finance Officer of all committees and he or she shall have the custody of all funds pertaining to such committees. The office of the Finance Officer may be bonded.

Section 4a. The County Finance records shall be kept for a period of time as currently required by the Internal Revenue Service, after which time they may be destroyed and only after the final approval for such, by the authority of the Council

Section 4b. The Assistant Finance Officer shall serve in the absence of the Finance Officer and he or she may be bonded.

Section 5. The Chaplain shall officiate at all meetings and ceremonies and perform such other duties as are usually incident to the office.

Section 5a. The Assistant Chaplain shall serve in the absence of the Chaplain.

Section 6. The Judge Advocate shall advise the District 4 Officers on all relevant By-law and parliamentary procedural matters and shall be Chairman of the Credential and Election Committees of the District, except in the case where the current Judge Advocate is seeking election to office. In that case, a Chairman will be appointed by the current District Commander and his appointment must be ratified by the Executive Committee.

Section 6a. Upon request, through the Council, the Judge Advocate may advise and/or assist the Post Judge Advocate from time to time.

Section 7 The Sergeant-at-Arms shall maintain order at the meetings of the Council and carry out such instructions as shall be given him or her by the Commander.

Section 7a. The Assistant Sergeant-at-Arms shall serve in the absence of the Sergeant-at-Arms.

Section 7b. The Historian shall collect from year to year all records and data of value and interest for the Worcester County Council, District 4 and shall compile during his or her term of office a complete history of the year's activities.

Section 8. The Executive Committee shall have the general direction, control and management of the property and affairs of the Council.

Section 9. All officers of the Council shall be additional delegates to any meeting of the Council with the privilege of voice and vote.

Section 9a. Any officer of the Council who is also a Post delegate or Past District 4 Commander shall be entitled to only one vote, but that vote may be in addition to the two votes of other authorized representatives from the same Posts.

Section 9b. All Past Worcester County Commanders shall be delegated to the Worcester County Council, District 4 with the privilege of voice and vote. They will be credited to their Post as additional votes.

Section 10. Any American Legion member, in good standing in his or her Post, may have the privilege of the floor at any meeting of the Council, but without vote. The Post which this member represents must have paid their County dues by November 1st

Section 11. The District 4 Commander may appoint a Hospital Representative for each establishment being serviced by Worcester County Council, three general members, a Hospital Chairman and Hospital Vice Chairman; all to be known as the Worcester County Hospital Committee. The Hospital Chairman and Hospital Vice Chairman shall also be the County Representative and Vice Representative, respectively, to the Department Hospital Committee.

ARTICLE VI Meetings

Section 1. There shall be five regular meetings annually in the following months September, November, January, March and May.

Section 1a. Meetings to be held on the third Saturday of the previously listed months, except in case of inclement weather whereby, the Commander may postpone the regular meeting to an alternate date. In any month that the Department E-Board and the County Council meetings conflict, then the County Council may not meet until at least one week later. Also, the Council meeting may be postponed or changed by a majority of the Council members present and voting, whereby members shall be notified of the change by whatever means available.

Section 1b. The location to be held at any Post willing to host them, preferably in the proper Sub-District

Section 1c. No alcoholic beverages shall be allowed in the hall during a Council meeting.

Section 1d. If after entering a meeting it is determined that a member is causing a disruption he/she may be asked, by the officer conducting the meeting, to remove themselves from the meeting or be removed by the Sgt.-at-Arms

Section 2. Special meetings may be called by the Commander at his or her discretion and shall be so called by him or her upon the written request of members representing six of the posts in good standing within District 4.

Section 3. The Adjutant shall make notice of each meeting of the Council, to each Post, and each member of the Executive Committee, at least fourteen days (14) prior to the date on which the meeting is to be held. The Adjutant may use any means at his/her disposal, including electronic options such as E-mail, to facilitate this notice

Section 4. Meetings of the Executive Committee shall be called at the option of the Commander and shall be so called by him or her upon written application of five (5) or more of its members.

Section 5. The order of business shall be that prescribed by The American Legion Manual. The Commander shall make a report of any Department Executive Committee meeting, which may be held since the previous council meeting.

ARTICLE VII Dues

Section 1. The Post dues to the Council shall be as follows:

POST WITH MEMBERSHIP OF 50 OR UNDER	\$ 25.00
POST WITH MEMBERSHIP OF 51 TO 100	\$ 45.00
POST WITH MEMBERSHIP OF 101 TO 250	\$ 60.00
POST WITH MEMBERSHIP OF 251 AND UP	\$ 75.00

Membership for the purpose of assessing County dues for any given year shall be that taken from the final Department membership figures as of the annual Department Convention for the preceding year. Dues shall be payable on or before November 1st of each year.

Section 2. Any Post shall be declared not in good standing, if dues are not paid by November 1st.

ARTICLE VIII
Removal of Officers

Section 1. Any of the Officers may be removed by a majority vote of the Executive committee, present and voting; provided that it is set forth in the notice calling the meeting that such a vote is to be taken and provided further that such action is ratified by majority vote of the Council at the following meeting.

ARTICLE IX
Quorum

Section 1. Representatives of ten (10) Posts shall constitute a quorum at any meeting of the council. Five (5) members of the Executive Committee shall constitute a quorum at any meeting of the Executive Committee.

ARTICLE X
Rules of Order

Section 1. The Council shall be governed by Robert's Rules of Order, Newly Revised unless otherwise provided for within these Bylaws.

ARTICLE XI
Elections

Section 1. All Officers of the Council, with the exception of the Commander and the Senior-Vice Commander for the ensuing year, shall be nominated at the March meeting of the Council and elected at the May meeting of the Council by voice vote, unless a contest is created by two members nominated for the same office. Should a run-off occur, the Adjutant will prepare a written ballot with only those contested candidates so identified. The winner will be the candidate receiving the highest number of balloted votes. All Officers shall hold office for one year or until their successors are appointed or elected. The Commander and the Senior-Vice Commander shall be elected by the Delegates to the Annual Department Convention.

Section 2. The Commander and the Senior-Vice Commander shall be elected by the Delegates to the Annual Department Convention.

- (a) At a Pre-Convention Caucus of the Department Convention delegates, to be held not earlier than thirty (30) days prior to the Department Convention.
- (b) The District Commander shall notify each Post within the District of the place, time and purpose of each pre-convention caucus, at least ten (10) days prior thereto. A plurality of the votes of the delegates present and voting shall be necessary to elect a District Commander.
- (c) They may also conduct such other business as may come before the caucus
NOTE: this would include the budget.

Section 3. All Officers will assume the duties of their respective offices at the close of the Annual Department Convention.

ARTICLE XII

Bills

Section 1. Any bill contracted by a duly appointed member not exceeding \$50.00 will be paid on approval of the Executive Committee. Any bills exceeding the sum of \$50.00 shall be paid only after ratification by the County Council, at any assembled meeting.

Section 2. No committee will be allowed to spend any money in excess of its appropriation. All appropriations for committees shall be made by vote of the council at regular meetings.

ARTICLE XIII

Amendments

This Constitution and Bylaws may be amended by a two-thirds (2/3) vote cast at any regular meeting of the Council provided that the call for said meeting shall have set forth fully the proposed amendments and mailed to all Post (in good standing) at least thirty (30) days prior to said meeting.

This Constitution and bylaws including all proposed revisions were approved by the Worcester County Council, District 4, Department of Massachusetts Inc., The American Legion at the regular meeting held in Winchendon, Massachusetts on November 19, 2016

January 25, 2016

Lisa A. McPhee
District Commander

Amended	March 16, 1996
Amended	September 19, 1998
Revised	July 17, 2004
Amended	September 17, 2005
Amended	November 12, 2011
Amended	January 25, 2014
Amended	November 19, 2016