

**CONSTITUTION
OF
The American Legion, Department of Maryland, Northern Central Region Council**

PREAMBLE

For God and Country, we associate ourselves together for the following purposes:
To uphold and defend the Constitution of the United States of America;
To maintain law and order;
To foster and perpetuate a one hundred percent Americanism;
To preserve the memories and incidents of our associations in all Wars;
To inculcate a sense of individual obligation to the Community, State, and Nation;
To combat the autocracy of both the classes and the masses;
To make right the master of might;
To promote peace and good will on earth;
To safeguard and transmit to posterity the principles of justice, freedom, and democracy;
To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I - NAME

Section 1. The name of the Council shall be The American Legion, Department of Maryland, Northern Central Region Council, hereinafter referred to as "the Council."

Section 2. The Council is chartered in The American Legion, Department of Maryland, Inc., hereinafter referred to as "the Department."

Article II - Nature

Section 1. The Council is an intermediate body of the Department created to act as a liaison between the Department, the District, and the Posts within the Northern Central Region and for the purpose of promoting the programs of The American Legion.

Section 2. The Council is a civilian organization; and membership therein does not affect nor increase liability for military or police service. Rank does not exist in The American Legion; no member shall be addressed by military or naval title in any meeting of the Council.

Section 3. The Council 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 4. The Council shall not be a member of, or affiliated with, any organization, committee, association, council, or group whereby The American Legion might be committed to a policy contrary to that adopted by The American Legion.

ARTICLE III - ORGANIZATION

Section 1. The Northern Central Region Council shall consist of the Posts assigned to the Council by the Department Executive Committee, hereafter "DEC", and for purposes of administration, shall be divided into Districts by the DEC.

Section 2. The DEC shall have the power to change the composition of the Regions and Districts from time-to-time as required for efficient administration of the Department.

Section 3. Each District shall organize a District Council. The Districts shall be numbered by the DEC. Each District Council shall determine the representation each Post shall have therein.

Section 4. No individual, group of persons, or subordinate organization of the council is authorized to contract any bills or obligation in the name of the Council, nor to act as the agent of the Council, for any purpose whatsoever, without the approval of a majority vote of the Council at a regular meeting.

Section 5. Notwithstanding the limitation in Section 4 herein, the Council may establish procedures in the Standing Rules to authorize entering into contracts by certain officers of the Council in order to operate the programs of the Council.

Section 6. The Council shall not incur or cause to be incurred any liabilities or obligations which would or may subject the Department, District Councils, Posts' Officers therein, or any other subordinate organization of the Council, to the liabilities or for payment or satisfaction thereof.

Article IV - Membership

Section 1. All Posts in good standing in the Department, assigned to the Northern Central Region, shall be members of the Council. Each Post shall have three delegates and three alternates to the Council, and each delegate shall have one vote. In the absence of a delegate, the remaining delegates or alternates may vote the strength of the Post. But in no case may a Post cast more votes than the number of delegates and alternates present, or no more than three total votes, whichever shall be less.

Section 2. The delegates to the Council shall be elected or appointed by their respective Posts in whatever manner the said Posts may determine. The delegates shall be certified to the Region Commander at or before the first Council meeting of the administrative year. Alternate delegates shall be listed in ranked order in which they shall replace an absent delegate. The certification shall include the Post name, along with the name, address and telephone number of each delegate.

Section 3. The elected officers of the Region, the District Commanders and District Vice-Commanders from the Districts within the Region, and the Department Executive Committee members from the Region shall have a vote and the privilege of the floor.

Section 4. All Past Department Commanders and Past Region Commanders who are members in good standing of a Post in this Region, along with all members of Posts within the District that have held the office of District Commander within the Department of Maryland are to be a member of the Council, if a member in good standing in a Post in the Region, and shall be entitled to a vote and the privilege of the floor. Honorary District Commanders shall not be entitled to vote or privilege of the floor unless otherwise entitled.

Section 5. No member of the Council, regardless of office or offices held, shall be entitled to more than one vote.

Article V - Dues

Each Post in the Region, in order to be in good standing in the Council, shall contribute annual dues as may be determined prior to the beginning of the next administrative year, by the delegates at any Council meeting and approved by the DEC. Any action in changing the amount of dues must have been provided to each Post, in the Region, at least thirty days prior to such action. Dues shall be paid by or at the second Council meeting, and if not paid by this time, the Post forfeits its privilege of the floor and voting until said dues are paid, including the Region Caucus.

Article VI -Officers

Section 1. The elected Officers of the Council shall be: Region Commander, Region Vice-Commander, Adjutant, Finance Officer, and Judge Advocate, the term of office for all elected officers shall be one year.

Section 2. The appointed Officers of the Council shall be: Historian, Sergeant-at-Arms, Chaplain, and Service Officer. the term of office for all appointed officers shall be one year.

Section 3. Consecutive election or appointment of an Officer of the Council is permitted.

Section 4. Appointed officers shall assume their positions upon being designated by the Commander and approved by the Council at the first Council meeting of the administrative year.

Section 5. The Region Commander shall serve concurrently as a Department Vice-Commander representing the Council as a Department Officer.

Section 6. The Region Commander of the Council shall be the presiding officer at all Region Council meetings, during their term of office, with all the responsibilities and privileges of the chair. The Region Commander shall assume this duty simultaneously with their Installation at the Department Convention. The Region Vice-Commander shall act as the presiding officer in the absence of the Region Commander.

Section 7. In the event of death, resignation, physical incapacitation, or removal of the Region Commander, the Region Vice-Commander shall immediately assume the position of the Region Commander, with full powers to act for the remainder of the term, as if elected by the preceding Region Caucus.

Section 8. The Region Commander may remove any appointed Council Officer for just cause upon approval of the Council, and shall replace any vacancies created, subject to ratification by the Council. Such replacement shall be appointed within sixty days after vacancy occurs.

As amended 5-16-2021

Section 9. Any vacancy which may occur in an elective office of the Council, excepting the Region Commander, shall be filled by a special election, provided that thirty days' notice shall have been given all Posts in good standing within the Council. Nominations for vacancies in this section may be submitted in writing prior to the Region meeting or may be made from the floor at the meeting.

Article VII - Elections

Section 1. The annual election of Officers shall be conducted in the manner prescribed under the Department Constitution, Article V, Section 6.

Section 2. Elections shall be held for Region Commander, Region Vice-Commander, one District Commander for each District of the Region; two District Vice-Commanders for each District of the Region, one Department Executive Committee member for each five-hundred American Legion members of the Region, or major fraction thereof; one National Convention Delegate and one Alternate National Convention Delegate for each one thousand American Legion members of the Region. The membership strength of the Region for this purpose shall be computed as paid up membership in the Department Headquarters at the close of business on the Thirty-fifth day prior to the convening of the Department Convention or as of the First of July 1st each year, whichever date shall occur first.

Section 3. The Region Vice-Commander shall be an ex-officio DEC member.

Section 4. The distribution of the remaining representatives to the DEC shall be divided in an equitable manner utilizing the membership strength of each District. This shall be determined by the ratio of membership of each District under the five-hundred rule.

Section 5. Nominations at the Region Caucus shall be made in the following manner:

(a). At the last Council meeting prior to Department Convention each year, every Post Commander in the Region shall appoint a member of their respective Post, in good standing, to represent that Post on a Region nominating committee, and notify the Region Commander of this appointment.

(b). The Region Commander shall appoint a chairperson from among these members of the committee and will instruct this committee to meet and be prepared to present a list of one or more nominees for each office at the Region Caucus. The Region Commander shall not be a member of this committee.

(c). At the Region Caucus, the list of nominees, prepared with the majority approval of the nominating committee members present at their meeting, shall be read by the Region Adjutant or other members of the Council, as designated by the Region Commander or presiding officer. Further nominations may be made by any delegate from the floor and shall be accepted at the meeting and properly recorded by the Region Adjutant.

(d). It shall be the duty of each nominating committee member to notify their Post of the nominations for office. It shall be the duty of each Post Commander to see that their Post makes known its preference of candidates to its nominating committee member.

(e). Only matters appertaining to the upcoming Department Convention, the nominations and elections of officers, and attendant speeches or discussions pertaining to the aforesaid shall be in order at the Region or District Caucuses.

Section 6. Notwithstanding the provisions of Section 5 above, District caucuses held within the provisions of the Department's Constitution, Article V, Section 6, shall be construed as part of the Region caucus when such District caucuses are for the purpose of electing National Convention Delegates, Alternate National Convention Delegates, Department Executive Committee members, District Commander, and the District Vice-Commanders. Such elections must, however, be ratified by the Region Caucus and submitted to Department by said Region as a part of the Region election results for ratification by the Department Convention.

Section 7. Robert's Rules of Order, Newly Revised, shall govern the proceedings of these annual caucuses unless otherwise specified by the Department of Maryland Constitution or as otherwise provided by the Council.

Section 8. The presiding officer shall appoint a Judge of Elections and two tellers at the Region Caucus, none of which shall be a candidate for office. The Region Commander shall prepare, certify and mail to the Department Adjutant, immediately after the elections, a list of the newly elected Officers and the newly elected Delegates and Alternates to the National Convention for ratification by the Department of Maryland Convention.

Section 9. Only the Convention delegates of the qualified Posts in the Region shall vote on the election of Officers at the Region caucus. Each Post shall be entitled to the number of votes representative of its delegate strength at the upcoming Department Convention, as recorded by the Department Headquarters.

Article VIII - Meetings

Section 1. Meetings of the Council shall be held at least quarterly on a day, time, and place designated by the Region Commander. The announcement of the next scheduled meeting shall be made at the immediate prior meeting. Any changes to meeting day, time, or location subsequent to the announcement requires a constructive notification of every Post within the Region by approved means in the Standing Rules to the Posts, including either the Post Commander or Post Adjutant of each Post.

Section 2. The Region Commander shall be responsible for, and determine the need for, any special or emergency meetings of the Council which are in addition to the regularly scheduled meetings and the annual caucus; except that the Region Commander shall be required to call a special or emergency meeting on the written request of the two District Commanders of the Region. The Region Commander shall provide each District Commander written notice of any special or emergency meeting, including the date, time and place of such meeting and shall further require each District Commander to inform the Commander or Adjutant of each Post and District Officers within their respective District of such meeting.

Section 3. A quorum for the Council meetings shall exist when not less than one-quarter of the total number of Posts within the entire Region are present and represented by a properly registered delegate.

Section 4. The Region Commander shall require that written minutes be taken at all meetings and be read at the next Region Council Meeting for approval. On a motion approved by the delegates present, the reading of the minutes may be dispensed with, subject to correction, provided that a copy of the minutes has been provided to the delegates of the Council at, or prior to, the regular meeting at which they would normally be read.

Article IX - Finances

Section 1. All Region monies shall be in the custody of the Region Finance Officer.

Section 2. Expenditures from the Region Treasury shall be subject to the approval of a majority vote of the Council members present at any regular meeting.

Section 3. The Region may establish Standing Rules to establish financial controls and business practices for the operations of Region programs.

Section 4. The Region financial records shall be audited at the end of each administrative year, within thirty days of adjournment of the Department Convention, at a time and place designated by the Outgoing Region Commander. The Audit Committee shall consist of such members as the Council deems necessary to allow the proper review of the financial records of the Region. The Region Finance Officer shall serve as a consultant to the Audit Committee. At the conclusion of this annual audit, all financial records shall be delivered immediately to the Incoming Region Commander, and subsequently reported at the next regular Region Council meeting. A copy of the audit report shall be forwarded to the Department Treasurer for the record.

ARTICLE X - Rules of Order

All proceedings of the Council shall be conducted under and pursuant to latest published edition of Robert's Rules of Order, Newly Revised, except as herein otherwise provided.

Article XI - Amendments

Section 1. Amendments to this Constitution may be proposed to the Region Commander. The Region Commander shall then forward the recommendation to the Department Constitution and Bylaws Committee. The Department Constitution and Bylaws Committee shall consider such amendments and forward to the DEC with a recommendation at the next Regular DEC meeting.

Section 2. This Constitution may be amended at any regular meeting of the DEC provided that the proposed amendment shall have been submitted through the Department Adjutant to all members of the DEC by mailing, or by transmission utilizing other approved means, at least thirty days prior to the convening of the next DEC meeting, and provided further, it may be amended by unanimous vote at any DEC meeting without notice.

Section 3. Any part of this Constitution which is now or which may become inconsistent with the Constitution of the National Organization or the Department of Maryland Constitution of The American Legion shall be nullified and be replaced by the higher Constitution provision with which this Constitution is in conflict.

BY-LAWS
OF
The American Legion, Department of Maryland, Northern Central Region Council

Article I – Authorities

Section 1. The Council shall operate from authority defined by the American Legion, Department of Maryland, Inc.

Section 2. The Council shall be subject, always, to the will of the Posts of the Region as expressed by the delegates in attendance at a regular or special meeting, provided that such will shall remain consistent with the principles of The American Legion, Inc., and The American Legion, Department of Maryland, Inc.

Article II – Duties of Officers

Section 1. Region Commander

(a) The Region Commander shall command the Region, shall serve concurrently as a Department Vice-Commander, and shall be responsible for the execution and implementation of the policies of the Department throughout the Region. The Region Commander shall also be responsible for the execution and implementation of the policies of the Region as established by the Region Council. The Region Commander shall regularly visit the District Councils and Posts in the Region.

(b) The Region Commander shall preside at all meetings of the Council and carry out the principles embodied in the Preamble and Constitution of the Council.

(c) The Region Commander shall authorize all disbursement issued by the Region before payment by the Finance Officer.

(d) The Region Commander shall report the status of the Region to the Department Commander, Department Executive Committee (DEC), and the Department Convention. The Region Commander shall also perform such other duties as prescribed by the By-Laws of The American Legion, Department of Maryland, Article III, Sections 1 through 7 and shall perform such other duties as the Department Commander, DEC, or the Department Convention may assign.

Section 2. Region Vice-Commander

(a) The Region Vice-Commander shall act as the presiding officer in the absence of the Region Commander and if Region Vice-Commander is also absent the Region Adjutant shall designate one of the District Commanders of the Region to Chair the meeting, and that designee shall act as the presiding officer for the period of absence of both Region Commander and Region Vice-Commander.

(b) The Region Vice-Commander shall have a primary mission of increasing and stabilizing the membership of the Posts within the Region, and shall serve as the Chairman of the Membership Committee during the term of office as Region Vice-Commander.

(c) The Region Vice-Commander shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 3. Region Adjutant. The Region Adjutant shall assume, have charge of, and keep a full and correct written record of all proceedings of all meetings, and keep such records as the Region may require, and under the direction of the Region Commander handle all correspondence of the Region which is not handled directly by the Region Commander. The Adjutant shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 4. Region Finance Officer.

(a) The Finance Officer, shall be the custodian of all funds and securities of the Region, see that the same are deposited in a bank or banks chosen by the Finance Officer with the concurrence of the Region Council, and shall report the condition of finances at each Council meeting.

(b) The Finance Officer shall sign all checks disbursing the monies of the Region.

(c) The Finance Officer shall also serve concurrently of Finance Officer of any Region program established by the Region.

(d) The Finance Officer shall ensure all Officers of the Region are covered by crime and fidelity insurance with a good and solvent insurance company, to cover at least double the average amount of funds handled in a single year by said Officer(s), which amount is to be determined annually by the Region Council.

As amended 5-16-2021

(e) The Finance Officer shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 5. Region Judge Advocate. The Judge Advocate shall advise the Region Officers and Council on all matters based off of American Legion experience. This includes the interpretation of the rules of order, interpretation and construction of the Region Constitution and By-Laws. The Judge Advocate ensures the Region receives appropriate legal support in legal matters, and acts as Judge of Elections, and Chair of the Elections Committee, which shall formulate, and recommend, rules and regulations governing all Region Council elections to the Region Council for final approval in the Region Standing Rules. The Judge Advocate shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 6. Region Historian. The Historian shall be charged with the individual records, incidents of the Region and Council members, and shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 7. Region Sergeant-at-Arms. The Sergeant-at-Arms shall maintain and post the colors and preserve order at all meetings and caucuses; shall verify that each attendee at a Region meeting is admitted as appropriate. The Sergeant-at Arms shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 8. Region Chaplain. The Chaplain shall be charged with the spiritual welfare of the Council and its members and attending meetings and events as required, which shall be opened and closed with non-sectarian prayer. The Chaplain will offer non-sectarian, service in the event of dedications, funerals, and other public functions in which the Region is involved. The Chaplain shall perform such other duties as are usually incident to the office, or assigned by the District Commander or the Council.

Section 9. Region Service Officer. The Service Officer shall assist all veterans in obtaining information as to veteran's rights and benefits, and assist in community affairs of the Region. The Service Officer shall be responsible for bringing to the attention of all veterans and their dependents the rights and benefits granted to them by law. The Service Officer shall perform such other duties as are usually incident to the office, or assigned by the Region Commander or the Council.

Section 10. Department Executive Committee members. The Department Executive Committee members of the Region, shall make every effort to attend all meetings of the Region and to advise the Region of all pertinent information from the Department, to represent their Posts whenever necessary, to visit Posts within the Region, to guide and inform the Posts of the policies and programs of The American Legion and The American Legion, Department of Maryland, Inc.

Article III – Transition of Records

The Incoming and Outgoing Region Commanders and Adjutants shall have a meeting prior to the first Region Council meeting of the administrative year, for the purpose of passing on the Records to the Incoming Commander and Adjutant. This meeting must be held within the twenty days following the annual Department Convention at which the incoming Region Commander is elected to office, or immediately before the first Region Council meeting whichever occurs first.

Article IV - Committees

Section 1. The purpose and work of the Region Council shall be carried out through committees. These committees, under the administrative direction of the Region Commander as guided by the Council as a body, shall take full charge of and be responsible for bringing about the success of the Council programs.

As amended 5-16-2021

Section 2. The Standing Committees of the Council shall be established in the Region Council Standing Rules. Standing Committees as established, shall consist of such members, and Chairperson as shall be appointed by the Region Commander, subject to the ratification by the Council members at the first Region meeting of each administrative year, except that, the Region may establish committees in their rules that shall have authority to function continuously, or immediately, for continuity of operations of certain Region Programs. The Region Commander, shall, however, have the authority to appoint additional committees and replace Committee members at any time subject to ratification by the Council members as a body. Committee members shall be notified immediately upon their appointment or removal.

Section 3. In accordance with DEC Resolution 6217 as currently in force, or any other rule promulgated by the DEC on the matter of rental agreements for Region operations, the Region may designate, in the Region Standing Rules, an authority for a certain Region Officer in addition to the Region Commander and Region Finance Officer, to sign rental agreements for use of a youth camp on behalf of The American Legion, Department of Maryland, Inc., subject to the concurrence of the DEC.

Section 4. The duties of the above committees shall be as specifically described in the Region Standing Rules, or shall conform to the duties of similar commissions/committees of The American Legion, Department of Maryland, Inc.

Article V – Order of Business & Parliamentary Procedures for Meetings

Section 1. The business of the Council shall conform to the order of business as provided in The American Legion Manual of Ceremonies.

Section 2. All proceedings of the Council shall be conducted under and pursuant to latest published edition of Robert's Rules of Order, Newly Revised, except as otherwise provided in the Region Constitution, herein, the Region Special Rules of Order, or Region Standing Rules.

ARTICLE VI - AMENDMENTS

These By-Laws may be amended in the same manner as prescribed in the Region Constitution, Article XI - Amendments.