

CONSTITUTION OF THE LOS ANGELES COUNTY COUNCIL OF THE AMERICAN LEGION DEPARTMENT OF CALIFORNIA

Adopted March 2, 1945
Revised July 1, 2009

PREAMBLE

We, The American Legion Posts of Los Angeles County Department of California, recognizing that the principles of The American legion can best be accomplished by cooperative action, and can best be served by concerted endeavors, do hereby form Los Angeles County Council of The American Legion, Department of California, and adopt the following Constitution and By-Laws:

ARTICLE I: NAME

The name of this organization shall be the Los Angeles County Council of The American Legion, Department of California.

ARTICLE II: PURPOSES

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 the Great 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.

(b) This 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.

ARTICLE III: POWERS

(a) This Council is a constituent part of and subject to The American Legion, Department of California, and as such shall represent the Legion organizations of Los Angeles County.

(b) This Council shall devote itself to the accomplishment of the purposes set forth in Article II, Section (a) of this Constitution.

(c) This Council shall have power to act upon matters affecting The American Legion, its programs and policies, insofar as Los Angeles County and the Post located therein are concerned, provided that such action is not inconsistent with the programs and policies of the California and National Departments as expressed in their Convention mandates and in their Constitutions and By-Laws.

(d) This Council shall act as a clearing house for the member Posts and as such shall direct its efforts to foster and perpetuate a cooperative spirit among all Legion and Veteran organizations in Los Angeles County. It shall coordinate the programs and activities of the member Posts and other Legion organizations in the County and shall assist in the accomplishment thereof.

(e) This Council shall have authority to establish and operate a social service agency known as The American Legion Service Department for the following purpose:

- (1) To relieve the distress of worthy veterans and their families, providing such veterans are eligible for membership in The American Legion.
- (2) To advise and assist veterans who served in the Armed Forces of the United States during the World Wars, Korean Conflict and Vietnam Service, and who were honorably discharged there from, in preparing and prosecuting claims arising out of their service as such veterans, against the United States Veterans Administration and other governmental departments.

(f) This Council shall have power to engage in any enterprises or to associate itself with others in any enterprise for the purpose of advancing or attaining its aims and purposes.

ARTICLE IV: MEMBERSHIP

Membership in the Council shall be composed of all American Legion Posts in the County of Los Angeles.

ARTICLE V: REPRESENTATION

(a) Each member Post of this Council shall be entitled to four votes and to be represented by four delegates or four alternates, elected or appointed in such manner as the member Post may determine and who shall hold office at the pleasure of their Post, provided that delegates and alternates are certified for each County Council Year. Only such delegates and alternates of a member Post shall be recognized as are certified in writing as such to the Adjutant of this Council by their Post Commander and Adjutant. No changes in the delegates so certified will be allowed during the sixty (60) days prior to the annual election meeting of this Council.

(b) All Commanders of this Council, all District Commanders whose District lie wholly within the County of Los Angeles and the Vice-Commanders of the 4th and 6th Areas, by virtue of their said offices, shall have the privilege of the floor of this Council and each shall have one vote therein.

(c) All Past Commanders of this Council, all District Commanders whose Districts lie wholly within the County of Los Angeles and the Vice-Commanders of the 4th and 6th Areas, by virtue of their said offices, shall have the privilege of the floor of this Council and each shall have one vote therein.

(d) A quorum for the transaction of all business at Council meetings shall consist of a minimum of 15 Posts representing not less than three(3) districts of the member Post of this Council.

ARTICLE VI: OFFICERS

The officers of the County Council shall consist of a Commander, six (6) Vice-Commanders, a Vice-Commander Representing Women, an Adjutant, a Treasurer, a Judge Advocate, a Chaplain, a Sergeant-at-Arms and an Assistant Sergeant-at-Arms From each District, and any other appointed officers deemed necessary by the County Council Commander. Each Officer and Executive Committeemen shall have such power and duties as usually pertain to his their office. The Commander, Vice-Commanders, Vice-Commander Representing Women and the Executive Committee shall have a vote at all County Council Meetings.

(b) The Commander and the Vice-Commander Representing Women shall be nominated at the regular meeting of the County Council in July of each year and elected by the delegates of the member Posts at the regular meeting of this Council in August of each year. All elections for Commander and the Vice-Commander Representing Women shall be by written secret ballot in accordance with the rules passed by the County Council and amendments thereto, except that where only one candidate has been nominated for the office of Commander or for the office of Vice-Commander Representing Women, the election for such office shall be by voice vote. No nomination shall be permitted at any meeting except the July meeting unless the sole candidate or all the candidates (if more than one are nominated) nominates shall be permitted at the August meeting for that office. A majority of votes shall be required for election.

(1) Each District at each annual District meeting shall select from the members of the member Posts a Vice-Commander for the County Council. Such Vice-Commanders must be nominated and elected by the members of the District present and entitled to vote. A majority of the votes cast shall be required for election.

(2) The District Commander and District Adjutant shall certify to the County Council the name of the Vice-Commander so selected from the District.

(c) The Treasurer, Judge Advocate, Chaplain, Sergeant-at-Arms, and any other appointed officers deemed necessary by the County Council Commander, shall be appointed by and hold office at the pleasure of the Commander.

(d) The Adjutant shall be appointed by the Commander with the advice and consent of the Executive Committee and shall hold office at the pleasure of the Commander and the Executive Committee.

(e) In the event of the death, incapacity for the remainder of his term, or the resignation of the Commander, the seven Vice-Commanders shall, before the next regular meeting of this Council, choose from among their number an Acting Commander who shall preside at the next regular meeting of the Council, at which time a new Commander shall be immediately installed into office. Such election shall be by written secret ballot in accordance with the rules adopted by the Los Angeles County Council, except where only one candidate has been nominated for the office of Commander, the election for such office shall be by voice vote.

(f) In the case of a vacancy in any other office of the Council or the Executive Committee such vacant office shall be filled as soon as possible and in the same manner as originally required.

ARTICLE VII: EXECUTIVE COMMITTEE

(a) The executive power for the transaction of the business of this Council shall be vested in an Executive Committee provided, however, that no action shall be binding upon this county council until the same shall have been approved by a mandatory vote of the delegates present and voting at a meeting of the Council. Provided, further, that no action shall be taken by the Los Angeles County council on any matter submitted by the Executive Committee of said Council unless a copy of same shall have been mailed to each member Post of this Council at least seven(7) days prior to the date when the same is to be considered by said Council; provided, however, that action may be taken upon any matter of emergency declared to be such by a two-thirds vote of the Executive Committee.

(b) The Executive Committee shall be composed of the Commander, the Vice-Commanders, the Adjutant, the Treasurer, the Judge Advocate, the Junior Past Commander of this Council, the District Commanders whose Districts lie totally within this County, the Fourth and Sixth Area Vice-Commanders and the Six(6) elective members, to be elected one from each District. In the absence or inability to act of any District Commander who is a member of the Executive Committee, the First Vice-Commander of such District shall be authorized and empowered to act as a member of the Executive Committee.

(c) Each District shall elect from the members of the member Post at the annual meeting of the District an Executive Committee for the County council. Such Executive Committeemen shall be nominated and elected by the members of the District present and entitled to vote at the Annual District meeting. A majority vote shall be required to elect the Executive Committeemen. The Executive Committeemen shall be installed at the same time the officers of the County Council are installed and shall hold office until the County Council installation of his/her successor. The District Commander and District Adjutant shall certify to the County Council the Executive Committeemen so elected by their respective District.

(d) The entire Executive Committee, as composed in Sections (b) and (c) of this Article, shall be installed as prescribed, and shall serve until their successor is selected and installed on said Executive Committee.

(e) The County Commander, Vice-Commanders, and Adjutant, by virtue of their offices , shall occupy the similar offices, respectively, of the Executive Committee.

ARTICLE VIII – THE POST

(a) The Constitution and By-Laws of member Posts shall contain no provision inconsistent with the Constitution and By-Laws of this Council, and in the event of any such conflict the provisions of the Constitution and By-Laws of this Council and in the event of any such conflict the provisions of the Constitution and By-Laws of this Council shall prevail.

(a) Should any Post, for a period of thirty days (30) after the same becomes due and payable, fail to pay to this Council any dues levied, such Post and its delegates shall have all of their rights in this Council automatically suspended until such dues are paid.

ARTICLE X: AMENDMENTS

(a) This Constitution may be amended by a two-thirds vote of delegates in attendance and voting at any regular meeting of this Council; provided that a copy of such proposed amendment shall have been filed with the Adjutant and read to the Council at a previous meeting.

(b) The provisions of this Constitution shall be automatically changed to conform with the Adjutant and read to the Council at a previous regular meeting.

**BY-LAWS OF THE AMERICAN LEGION
LOS ANGELES COUNTY COUNCIL
DEPARTMENT OF CALIFORNIA**

ARTICLE I - PROCEDURE

- (a) Opening and closing of meetings and installation of officers of this Council shall be conducted as prescribed and approved by the National Convention of The American Legion in Kansas City, in the year 1921, with subsequent amendments adopted and approved by later Conventions.
- (b) Roberts Rules of Order shall govern the conduct of all meetings except as may be otherwise provided herein.
- (c) A motion to lay on the table shall require a two-thirds affirmative vote of all delegates present and voting.

ARTICLE II – MEETINGS

- (a) The Annual Meeting of the Council shall may be held in Patriotic Hall, 18th and 1816 Figueroa Streets, Los Angeles, California, the first Friday of August each year, unless same falls on a holiday, in which event the annual meeting shall be held on the second Friday in August.
- (b) Regular meetings of this Council shall may be held on the first Friday of each And every month unless same falls on a holiday, or during the week of or 3 days Before the commencement of or 3 days after the termination of the Department Or National Conventions of The American Legion, in which events and said Regular meeting shall be held on the next succeeding Friday which is not a Holiday, or such convention period in Patriotic Hall, 18th and 1816 Figueroa Streets, Los Angeles, California, or at such other place as may be designated from time To time by the vote of two-thirds of the delegates present and voting at any Regular meeting of the Council. When deemed necessary for the best interests Of the Los Angeles County Council, the delegates to the Council may change The regular meeting night by a two-thirds majority vote of the delegates present And voting. At no time shall the change date be more than seven (7) days prior To, or after a regularly scheduled meeting. When deemed Necessary the Commander may call for a virtual Zoom meeting with a 7 day prior notice.
- (c) Special meetings may be called by the Commander or by a majority of the Vice-Commanders, or by a majority vote of the Executive Committee by giving three(3) days written advance notice of said meetings to each member Post.

Said notice shall contain the date, the time and place of said special meeting and the reason for the call. Only such matters shall be considered at such special meeting as are specified in the call therefore.

ARTICLE III: VOTING

- (a) The unit rule in voting shall not be recognized in this Council.
- (b) The vote of each Post shall be recorded in the manner announced by each delegate, or by the Chair of the delegation. In the event only three delegates are present when a vote is taken and they disagree on the question, then the vote of each delegate shall have the value of one and one-third votes on behalf of such Post. If only two are present and they disagree on the question, each delegate may cast two votes and if only one delegate be present, he may cast all four votes for his their Post. In the absence of one or more delegates an equal number of alternates may act as delegates if present.
- (c) No legislative matter shall be acted upon at any meeting of this Council unless the same originates in the Resolution Committee of this Council or shall first have been presented in the form of a written resolution, in quadruplicate, duly adopted by a member Post or by a District lying wholly within Los Angeles County and certified as such by the Commander and Adjutant of such Post or District, provided that this requirement may be waived by the unanimous consent of all delegates present and voting.

ARTICLE IV – EXECUTIVE COMMITTEE

- (a) The Executive Committee shall pass upon all matters relating to the administration of this County Council and any and all subsidiary Committee or Commissions of this Council, and shall have a yearly audit completed by the first meeting in October and call for audits and reports at such times as it sees fit by the finance committee from the Adjutant and Treasurer or from any Commission, Committee or subsidiary group of the Council, and in addition to the above administrative control, this Council shall review and accept or reflect such audits and reports and shall have the right to demand and receive a report upon the financial status in detail of the Ways and Means Commission, the Service Department Commission, and of any other Committee or Commission in which the Council may be financially interested.
- (b) Regular meetings of the Executive Committee shall be held once every month at the time and place designated by it. Special meetings may be called by the Commander or by five (5) members thereof and shall be held at the time and place designated in the call. Written notice of all special meetings must be deposited in the United States mails addressed to each member at least forty eight (48) (72) hours prior to said meeting or verbal confirmation at a prior Executive or general meeting.
- (c) A quorum of the Executive Committee for the transaction of business shall consist of at least ten (10) of the membership thereof.
- (d) The duties of the officers, unless otherwise specified shall be those ordinarily performed by like officers in the Department.

(e) The Commander, Adjutant, Treasure and such other officers and Committee Chairman as the Executive Committee thinks necessary shall be bonded in such sums as the Executive Committee shall deem advisable.

ARTICLE V - COMMITTEE AND COMMISSIONS

(a) The Standing Committees of this Council shall be:

(1) Resolutions; Membership; Public Relations (to include programs of Community Betterment, Labor Relations, Press and Publicity, Radio Program, Speakers Bureau, Veterans Employment); Sons of The American Legion.

(2) The commissions of this Council shall be: American Legion Service Department (to include Child Welfare program); Disaster Relief (to include programs of Amateur Radio, Conservation, Fire Prevention and Traffic Safety); Finance; Hall of Fame; Hospital (to include Blood Donor program); Law and Order; Personnel; Ways and Means.

(3) The Los Angeles County Council Commander and Adjutant shall be ex-officio members of all committees and commissions ("Ex-officio" means may participate as full members with voice and vote but are not required to do so).

(b) Each standing Committee and Commission shall:

(1) Consist of a Chair and members appointed by the Council Commander as hereinafter provided and for term as hereinafter provided.

(2) Each Standing Committee of Commission may formulate or amend its own procedures and rules, with approval of the Executive Committee.

(c) Standing Committees:

(1) The appointment of members shall be made for a one (1) year term, from recommendations furnished to the Council Commander by the respective District Commanders. In the event any such recommendation is not acceptable, the Council Commander may request that an additional two (2) names be furnished to him/her from which he/she shall make said appointment. If the District Commander makes no recommendation within fifteen (15) days following installation, the Council Commander shall then have the power to make the needed appointment from within the District.

(2) Special Committees may be created at the discretion of the Council Commander or as determined by the majority vote of this Council.

(3) The appointment of members on Commissions shall be made for a term as provided in these By-Laws, by the Council Commander from the recommendations of three (3) names furnished to him/her by the respective District Commanders. If the District Commander makes no

recommendation within fifteen (15) days following installation, the Council Commander shall then have the power to make the needed appointment from within the District.

- (4) The chairman of Standing Committees and Commissions shall be appointed for one (1) year term by the Council Commander and shall serve at his/her pleasure. The Chair of Special Committees shall be appointed by the Council Commander and shall serve at his/her pleasure.

(d) The terms of Chairmen and members of Standing Committees and Commissions shall commence on the day following the installation of Council officers and they shall serve until the day of the installation of Council officers, provided that the term of any member of any Standing Committee or Commission who shall be automatically a member by reason of his/her office shall end upon termination of that office, provided further, that shall the appointment be for the purpose of filling an unexpired term, the appointment shall be effectively immediately. All appointments for an unexpired term shall be made in the same manner as required for the original appointment and shall be from the same District as the member replaced.

(e) Any individual serving as District Commander or as a Department or National elected or appointed officer shall not be appointed to any Los Angeles County Council committee or commission position. Any District Commander or Department or National elected or appointed officer holding an unexpired Los Angeles County Council committee or commission position shall be removed from that position and the Los Angeles County Council Commander shall select another individual to fill the unexpired term of the vacated committee or commission.

(f) The American Legion Service Department Commission:

- (1) Shall be composed of a Chair and fifteen (15) members. The members shall be: County Council Commander, Junior Past Commander, Second Vice Commander, of each District in the County Council, Chair of the Ways and Means Commission or his/her designated representative and one appointed member from each District in the County Council.
- (2) The members appointed upon the recommendation of the respective District Commanders shall serve a two (2) year term.
- (3) The American Legion Service Department Commission shall manage and control The American Legion Service Department, Los Angeles County Council, subject to the approval of the County Council Executive Committee.

(g) The Disaster Relief Commission:

- (1) Shall be composed of a Chair and twelve (12) members. The members shall be: the Chair of the Disaster Relief Committees and Commissions, as the case may be, of the respective Districts and one appointed member from each District in the County Council. The Disaster Relief Commission may add to this Commission such assistants and liaison members as may be necessary to make the Disaster Relief program. 9-15

effective.

- (2) The members appointed upon the recommendation of the respective District Commander shall may serve up to two (2) one (1) year term(s).
 - (3) Title and control of all property and equipment now owned of hereafter acquired, whether by gift, purchase of otherwise, by the Disaster Relief Commission shall remain and be vested in the County council. During all periods of emergency, major disaster, test mobilization or any other similar type of activity, operation and maintenance of said property and equipment shall be by the Los Angeles County Council through the Disaster Relief Commission of the Los Angeles County Council.
- (h) The Finance Commission:
- (1) Shall be composed of a Chair and seven (7) members. The members shall be: the retiring treasure and one appointed member from each District in the County Council.
 - (2) The members appointed upon recommendation of the respective District Commanders shall serve a two (2) year term.
 - (3) The Chair of each Committee or Commission of the Council shall prepare and submit to the Finance Commission, at its meeting in the month preceding the Annual Meeting of the Council, a budget containing all anticipated receipts and expenditures for the fiscal year, commencing the first day of September. After receiving the approval of this Council, the budget shall control all expenditures and no expenditure in excess of those provided for each Committee or commission therein shall be made, unless the same shall first be approved by a two-thirds (2/3) vote of the Executive Committee and a majority vote of the County Council, provided, that any such expenditures in excess of \$500.00 shall be acted upon only after two readings thereof one of which shall be at the meeting immediately. preceding the submission of the same to the vote of the delegates to the County Council provided further that the Adjutant of the Los Angeles County Council shall send copies of such motion or action to each member Post at least ten (10) days prior to the next meeting of the County Council in order that all delegates can be duly informed as to the nature of said motion or action; provided, however, that the foregoing shall not apply to an appropriation or commitment made to handle a major catastrophe or disaster.
 - (4) It shall be mandatory to include in the budget the sum of \$10,000.00 for the use of The American Legion Service Department. When any funds are received directly by the Service Department from any source, an amount equal to the sum so paid direct to the Service Department shall be deducted form the budgeted sum of \$10,000.00.
 - (5) The Finance Commission each quarter shall report to the Executive Committee in writing, showing the amount budgeted for each subsidiary group, the amount expended there from and the balance available for the budgeted item.
 - (6) Actual balance each quarter shall be submitted by each subsidiary

group, committee, commission or department of the County Council, together with a detailed statement of income and disbursement this balance sheet shall be presented to the Executive Committee for its consideration.

(7) Finance Committee shall produce yearly annual audit for the previous year at the October meeting.

(i) The Hall of Fame Commission:

- (1) Shall be composed of a Chair and eighteen (18) members. The members shall be three (3) appointed members from each District in the County Council.**
- (2) The members appointed upon recommendation of the respective District Commanders shall serve a six (6) year term.**
- (3) It shall be the duty of the Hall of Fame Commission to recommend nominees for enshrinement in the Hall of Fame and formulate Rules and Standards therefore, such Rules and Standards not to become effective until approved by the Executive Committee and by the Council, each by a majority vote of those voting, provided quorum is present. The said Rules and Standards shall be charged only upon a vote of three-fourths (3/4) or more, of the Hall of Fame Commission, of the Executive Committee and of this Council.**

(j) The Hospital Commission:

- (1) Shall be composed of twelve (12) members. The members shall be: The Hospital Chair of the respective Districts and one (1) appointed member from each District in the County Council; The Los Angeles County Commander will appoint from the County Council.**
- (2) The members appointed upon the recommendation of the respective District Commanders shall serve a two (3) year term, except that shall a Member of the Hospital Commission become Hospital Chair of his/her District, the County Council Commander shall then appoint a member From said District to act on the Hospital Commission during the time Said member is Hospital Chair of their District.**

(k) The Law and Order Commission:

- (1) Shall be composed of a Chair and twelve (12) members. The members Shall be: The Law and Order Chairman of the respective Districts and one appointed member from each District in the County Council.**
- (2) The members appointed upon the recommendation of the respective District Commanders shall serve a two (2) year term.**
- (3) The Law and Order Commission shall foster, in manners, and by means within the scope of American Legion principle and policy, an affirmation program of respect and support of law and order in general and law enforcement agencies and officers in the legitimate function and performance of their offices and duties.**

(i) The Personnel Commission:

- (1) Shall be composed of six (6) members (one from each District), one of whom shall be selected by the County Council Commander as Chair.
- (2) The members appointed upon recommendation of the respective District Commanders shall serve a three (3) year term.
- (m) The Ways and Means Commission:
 - (1) Shall be composed of a Chair and twelve (12) members (two from each District).
 - (2) The members appointed upon recommendation of the respective District Commanders shall serve a three (3) year term.
 - (3) It shall be the duty of the Ways and Means Commission to devise methods for the raising of revenue for this Council and its subsidiary groups. and to have complete and sole management of their Commission.
- (n) All members of Standing Committee and Commissions who fail to attend three (3) consecutive meeting of their respective committee or commissions shall be subject to immediate removal by the Commander of the Council and his/her office declared vacant; provided, however, that no more than one absence shall be counted in any one week.
 - (1) The Commander of this Council with the consent of two-thirds (2/3) of the Executive Committee shall have the power to remove any member of a Committee or Commission except where said member is automatically appointed by reason of his/her office.
 - (2) The term of any member of any Committee or Commission appointed to said Committee or Commission by reason of his/her office be coterminous with his/her office and shall terminate upon termination of that office.

ARTICLE VI: DUES

- (a) Each member Post shall pay dues of \$15.00 per annum, which shall be payable on the first day of September of each year
- (b) If not paid prior thereto, dues shall become delinquent on the first day of October of each year.

ARTICLE VII: AMENDMENTS

- (a) The provision of these By-Laws shall be automatically changed to conform with any changes which may be adopted in this Constitution and By-Laws or any regulations that may be passed by the Department or National, The American Legion.
- (b) These By-Laws may be amended by a two-thirds (2/3) vote of the delegates in attendance and voting at any regular meeting of this Council; provided that a copy of such proposed amendment shall have been filed with the Adjutant and read to the Council at a previous regular meeting.

Revised: 8/16/1988
2/16/1999
9/17/2013

LOS ANGELES COUNTY COUNCIL RULES FOR ELECTION

(AS AMENDED)

Adopted July 8, 1988
Amended March 7, 1997

SECTION I

At the regularly convened meeting prior to the annual election meeting the County Council Commander shall appoint two members from each District who shall serve as an election board. Said appointments shall be made from the recommendations made to the County Council Commander by the District Commander of the several Districts. No candidate for a County Council office shall be a member of the board nor shall a member of the board, so appointed as in this section provided act as Chair of said board.

SECTION II

At least ten (10) days prior to said election meeting the Commander shall appoint one delegate or alternate as Chair. Said Chair shall organize said board immediately at said election and shall distribute the business of the election among the members of said board so that election business shall be expedited and efficiently conducted.

SECTION III

The County Council Commander and County Council Adjutant shall certify the names of the delegates and alternates from the Posts comprising the County Council, which list as certified shall be delivered to the Election Chair.

SECTION IV

The appointment of said members to said Election Board shall be part of the regular order of business at the regularly convened meeting prior to each annual meeting of the County Council after the convening thereof.

SECTION V

In the event of a vacancy on the Board, or the refusal or failure of any member of the Board to act, the Commander shall fill such vacancy or replace such member by Department.

SECTION VI

a) The County Council Adjutant shall provide and deliver to the election board six (6) locked ballot boxes, an adequate supply of ballots, a duplicate of the list required in these rules of such delegates and alternates as shall have been certified as Post delegates and alternates by the Post Commander or Adjutant, as prescribed in Article V (a) of the Constitution of the Los Angeles County Council of The American Legion, and a list of the Posts who did not certify their delegates and alternates to the Council as prescribed in Article V (a) of the Constitution. The eligibility of said uncertified delegates and alternates to vote, shall be determined by the said election board, provided, however, that said Post with said uncertified delegates shall certify their delegated and alternates to the said election board as in this rule provided, and said election board shall attach said certifications to the list of said uncertified Posts supplied to it by the County Council Adjutant.

b) All disputes relative to the right of delegates and alternates to vote at said election shall be determined by said election board as organized by said Chair and the findings of said board shall be final and conclusive.

SECTION VII

The Election Chair must be present at the opening of the ballot boxes and at the tallying of the ballots. The results of the voting shall be reported at the Council meeting.

SECTION VIII

The Chair or a representative of each Post delegation shall receive from the Election Board, four ballots for his Post, which ballots he shall distribute to the delegate or alternates entitled to vote. Upon receiving said ballots, the Chair or representative shall sign a register, acknowledging receipt of the ballots received by him.

SECTION IX

a) The polls shall open one hour prior to the convening of the annual meeting and shall remain open for a period of one hour thereafter, during which time each delegate or alternate entitled to vote shall cast one ballot in the ballot box provided for his respective district.

b) Absentee ballots shall be voted in accordance with the decision of the Post delegation, provided that if the Post delegation shall not agree how the absentee ballot shall be voted by the end of said one hour period then said vote shall not be cast.

c) At the end of said one hour period the polls shall be closed and the election board together with the Elections Chair retire and count the ballots, the report of the election being delivered to the County Council Commander immediately upon

the completion of the tally. The Chair of the board at said time shall deliver the ballots to the Adjutant. Said ballots shall be kept by the Adjutant for a period of 35 days. The ballots shall be kept in a sealed container during said time. At the end of said time, said ballots shall be destroyed.

d) In the event no person shall receive a majority of all the votes cast for an office requiring a majority for an election, the polls shall be reopened and a new election held in accordance with the provisions set forth for that particular office, all of the candidates excepting the two highest for the particular office being eliminated.

SECTION X

The election board shall check the eligibility of each delegate or alternate when he casts his ballot against the certified duplicate list supplied to it by the Adjutant as in these rules provided and against the certifications and decisions made to and by said board at said election meeting.

SECTION XI

In the event of a special election for any vacancy requiring an election to fill the same, the procedure as above outlined in these rules shall govern the conduct of said election.

SECTION XII

The foregoing rules shall not apply to any election where only one candidate has been nominated.

Revised: June 1, 2013 January 18, 2024, March 19, 2025