



## **STATEMENT OF CERTIFICATION**

I, Ralph R. Wenzinger, Department Judge Advocate of the American Legion Riders, Department of California, certify that the following is a true depiction of the official By-laws of the American Legion Riders, Department of California.

I further certify that this copy reflects the latest changes and amendments as authorized by the delegates of the 13<sup>th</sup> Annual Convention of the American Legion Riders, Department of California on May 3-5, 2019 in Hollister, California. I further certify that these official By-laws of the American Legion Riders, Department of California were approved by The American Legion Department of California by Convention Action in Ontario, California, on June 29, 2019.

The amendments authorized by Convention action in accordance with XVII, Section 1, of the By-laws of the American Legion Riders, Department of California.

Dated this 20<sup>th</sup> day of September 2019.

Ralph R. Wenzinger, Judge Advocate  
American Legion Riders Department of California

# **BY-LAWS OF THE AMERICAN LEGION RIDERS**

## **DEPARTMENT OF CALIFORNIA**

### **PREAMBLE**

For God and Country, we associate ourselves as members of the American Legion Family, constituting the American Legion Riders 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 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 Goodwill on earth;

To safeguard and transmit to posterity the principles of Justice, Freedom and Democracy;

To participate in parades and other ceremonies which are in keeping with the aims and purposes of the American Legion;

To promote motorcycle safety education programs and to provide a social atmosphere for American Legion Family members with the same motorcycle interests;

To consecrate and sanctify our association by our devotion to mutual helpfulness.

### **ARTICLE I**

#### **HEADQUARTERS**

Permanent headquarters of The American Legion Riders, Department of California, shall be co-located with the headquarters office of The American Legion Department of California or such city as designated by the Annual Convention of the Department or the Department Executive Committee.

### **ARTICLE II**

#### **NATURE**

Section 1. The American Legion Riders (ALR) is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank does not exist in The American Legion Riders; no member shall be addressed by their military title in any convention or meeting of The American Legion Riders.

Section 2. The American Legion Riders shall be absolutely nonpolitical and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment. No candidate for, or incumbent of remunerative elected public office shall hold any office in The American Legion Riders, Department of California, or subdivision thereof.

Section 3. The American Legion Riders, Department of California shall be absolutely nonsectarian.

Section 4. Each member shall perform their full duty as a citizen.

Section 5. The American Legion Riders is a program of the American Legion and is formed to promote the aims and purposes of The American Legion by members of The American Legion, The American Legion Auxiliary, and The Sons of The American Legion.

Section 6. Members are the motorcycle enthusiasts of the American Legion; with sole purpose to support the American Legion and the long standing and respected position and ideals therein. Members ride solely to promote the aims and purposes of The American Legion as a family oriented motorcycling activity for members of The American Legion, The American Legion Auxiliary, and The Sons of The American Legion. It is required that members dress and act at all times in a manner that conforms with the Bylaws, Constitution and Resolutions of the American Legion Riders Department of California and American Legion Department of California and further promotes a positive image beyond reproach for The American Legion and its principle., Members are reminded that the y are a 'public face' of this organization when operating in group activities or interacting with the community and shall act accordingly.

### **ARTICLE III** **MEMBERSHIP ELIGIBILITY**

Section 1. There is one recognized "class" of involvement with the ALR as defined below. All members must be a member in good standing, of The American Legion, The American Legion Auxiliary, or The Sons of The American Legion.

Section 2. Members in The American Legion Riders must be the legally registered owner or operator of a highway legal two or three wheeled motorcycle and must possess a valid driver's license for the qualifying vehicle in their state of residence (military equivalents acceptable as well) or be the legal spouse, or registered domestic partner of an American Legion Riders member within the Chapter of application.

Section 3. Members may not be concurrent members in more than one local Chapter except that they may maintain membership in a local Chapter during the period of organization of another local Chapter. Once the new local Chapter has been officially recognized by Department, they must limit their membership to only one Chapter.

Section 4. All candidates for membership into The American Legion Riders shall be voted upon by the membership of the Chapter at a regular meeting. A majority vote of those present and voting shall elect or reject a candidate.

Section 5. No person who has been expelled from a Chapter shall be admitted to membership in another Chapter without the consent of the expelling Chapter. Where such consent has been asked for and denied by such Chapter, the person may then appeal to the Department Executive

Committee for permission to be admitted to membership in another Chapter and shall be ineligible for membership until such permission is granted.

Section 6. No member of The American Legion Riders in good standing shall be excluded or denied membership because of race, creed or color, in any group affiliated with The American Legion Riders that uses the prestige, name or emblem of The American Legion Riders.

Section 7. Active members in good standing who become physically incapable of operating a motorcycle *or who lose a spouse to death* may be granted retired status by a vote of the Chapter. The status retired, applies only to the ownership and operation of a motorcycle requirement and does not create another class of membership. All other provisions of these By-Laws will apply to members granted this status. The Chapter will communicate to the American Legion Riders Department Secretary in writing, the granting of Retired Status, the members' information, and the reason for granting retired status. *(Added by ALRDOC Resolution 19-001 adopted at the ALRDOC Convention assembled in Hollister, California May 3-5, 2019; Approved by the Department of California at the Convention assembled in Ontario, California June 28-30, 2019.)*

## **ARTICLE IV** **OFFICERS**

Section 1. The elected officers of this organization shall be the President, Vice President, Sergeant-at-Arms, and six (6) Area Vice Presidents, the appointed officers shall be the Judge Advocate, Secretary, Treasurer and Chaplain. The six (6) Area Vice Presidents and Alternate Vice Presidents will be elected at the annual convention of The American Legion Riders by the respective Area delegates to the convention seated and present in the Area caucus. The Alternate Area Vice President shall represent the Area in the absences of the Area Vice President.

Section 2. DEPARTMENT PRESIDENT: The Department President shall preside at all Executive Committee Meetings and shall preside at the Annual Department Convention. The President will be the Chief Executive Officer of the Department and shall bear ultimate responsibility. To this end, the President will make all appointments as permitted by the Department By-Laws and approved by the Executive Committee. The President shall be in attendance at Committee/Commission meetings. The President shall represent the Department of California at various events. The Vice Presidents or other Department Officers may fill-in in his absence.

Section 3. DEPARTMENT VICE PRESIDENT: The Vice President will be available to represent the President in his absence. The Vice President will be responsible for Membership and advise the President advised on all matters regarding membership. The Vice President shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

Section 4. AREA VICE PRESIDENT: The Area Vice President, or the Alternate Area Vice President in her/his absence, is the official representative of the Department President and of the

Department Vice-President in which his/her Area is located and is the Executive Officer of the Area. It is the duty of the Area Vice President to at all times cooperate with the Officers of the Chapters in his/her Area and fulfill the duties outlined in Article VII, Section 2.

Section 5. SECRETARY: The Department Secretary shall be the Chief Administrative Officer of the Department. The assigned duties will be performed in accordance with the Department Constitution and By-Laws, by maintaining the Department records, and publishing any necessary orders, announcements, and instructions. Both Chapter and Assistant Secretaries shall report to the Department Secretary. The Department Secretary shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

Section 6. TREASURER: The Department Treasurer shall be the Chief Financial Officer of the Department and shall be a voting member of the Department Finance Committee. The duties will be performed in accordance with the Department Constitution and By-Laws. The Department Treasurer shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

Section 7. SERGEANT-AT-ARMS: The Department Sergeant-At-Arms will be responsible for preserving order at all meetings of the Department. The Department Sergeant-At-Arms shall have custody of the Department Colors. The Department Sergeant-At-Arms shall identify all persons at Department meetings and shall be responsible for the sign in roster and introducing dignitaries and guests at all meetings.

The Department Sergeant-At-Arms shall have the authority to appoint Assistant Sergeant-At-Arms to assist him at Department meetings. The Department Sergeant-At-Arms shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

Section 8. CHAPLAIN: The Department Chaplain shall perform such divine and nonsectarian service as outlined in the Department Constitution and By-Laws. The Department Chaplain shall be ready upon occasion to take part in dedication ceremonies and the funeral services of a comrade. The Department Chaplain shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

Section 9. JUDGE ADVOCATE: The Department Judge Advocate shall advise the Department Officers and the Department Executive Committee on all legal matters, including the construction and interpretation of the Department Bylaws. The Department Judge Advocate shall advise the Department Officers and the Department Executive Committee regarding parliamentary procedure when requested. The Department Judge Advocate shall also preside over the Trial Board Committee if necessary. The Department Judge Advocate shall also perform such other duties as assigned by the President providing there is no conflict with the Department Constitution and By-Laws.

~~Section 10. No Department Officer, President or Elected Officer of a Chapter of American Legion Riders shall at the same time hold the Office of Post Commander of an American Legion Post. In that such a dual role creates a conflict of interest in the due administration of the Riders program by the parent organization of The American Legion. (Rescinded by Resolution 2019-13, Adopted by the Department of California at the Convention assembled in Ontario, California, on June 28-30, 2019.)~~

Section 10. No ALRDOC Area Vice President shall at the same time hold the Office of President of any American Legion Riders Chapter. Nor may any ALRDOC Area Vice President be allowed to assume the office of Chapter President for the duration of his time in office. No President of an American Legion Riders Chapter shall at the same time hold an office as an ALRDOC Area Vice President. In that such a dual role creates a conflict of interest in the due administration of the Riders program by the ALRDOC Executive Committee. This section does not deny any PAST Chapter President the opportunity to serve as an ALR DOC Area VP. (*Section re-numbered due to removal of previous Section 10.*)

## **ARTICLE V** **ORGANIZATION – CHAPTERS**

Section 1. Chapters of The American Legion Riders, Department of California shall be organized under the jurisdiction and sponsorship of the local Post of The American Legion. The local unit shall be termed the “Chapter” which must have a minimum of five (5) members at the time of signing of the application for the charter. Those who wish to form a Chapter of The American Legion Riders shall make an application to the Post Commander of the local Post of the American Legion, in which they reside. The aforementioned application shall be forwarded to the President of the American Legion Riders, Department of California, who may issue a temporary charter. The application shall be presented to the Department Board of Directors for final approval. After approval of the Board of Directors, a permanent charter will be issued. This section may be superseded by the National Organization once formed.

Section 2. There shall be only one Chapter of The American Legion Riders consisting of one or more sections for each Post of The American Legion

Section 3. The Officers of each chapter shall consist of a minimum of President, Vice President, Secretary, Treasurer, Sergeant-at-Arms and other officers as the individual Chapter may decide. The elected officers will consist of the President, Vice President, and Treasurer. Other officers may be elected or appointed at the discretion of the local Chapter.

Section 4. The Commander of the sponsoring American Legion Post may appoint an Advisor to coordinate activities of the Chapter with the Post.

Section 5. Chapter officers shall be elected at regular meeting during April, May, or June and shall be installed no later than September 1st.

Section 6. All Chapters of The American Legion Riders, Department of California, shall adopt By-Laws conforming to the Department By-Laws of The American Legion Riders, and shall submit a copy of same to the Department Headquarters for approval and filing by

the Department Headquarters annually. If no amendments are made to the by-laws the Chapter Secretary may notify the Department Secretary and not resend a copy.

Section 7. Chapter members shall wear the authorized patch of The American Legion Riders and the logo of The American Legion only in the manner prescribed by The American Legion Riders Department of California and ratified by The American Legion Department of California. Pursuant to Article XV herein.

## **ARTICLE VI** **DISTRICT LEVEL ORGANIZATION**

Upon the request in writing to the Department President of at least two-thirds (2/3) of the Chapters in a District, representing at least two-thirds (2/3) of the paid up members in the District, a District organization shall be organized, membership in which shall be mandatory upon all Chapters in the District. Per capita payable to the Department organization shall not be diminished by this action.

## **ARTICLE VII** **AREAS**

*Section 1:* There shall be six (6) Areas within the American Legion Riders, Department of California aligned in the same manner as the Areas in The American Legion, Department of California.

AREA ONE – To consist of Districts Nos. 1, 2, 3, 4, 5, 6, and 7

AREA TWO – To consist of Districts Nos. 8, 9, 10, 13, 26, and 28

AREA THREE – To consist of Districts Nos. 11, 12, 14, 15, and 27

AREA FOUR – To consist of Districts Nos. 17, 19 and 23

AREA FIVE – To consist of Districts Nos. 21, 22, 25, 29 and 30

AREA SIX – To consist of Districts Nos. 16, 18, 20 and 24 (*County descriptions removed to conform with The American Legion, Department of California By-laws.*)

Section 2. It is the responsibility of the Area Vice President to obtain properly executed Certification of Chapter Officer Reports and Consolidated Chapter Reports from the Chapters within their Area, and to submit said Reports to the Department not later than thirty (30) days prior to the opening of the annual Department Convention. It is the responsibility of the Area Vice President to maintain current membership information for all Chapters in her/his Area. The Area Vice President shall convene an Area Meeting of all Chapters in his/her Area not less than twice a year. The Areas shall also meet within 24 hours preceding the Department Convention and the Area Vice President shall Chair the meeting of the Area Caucus at the Department Convention. The Area Vice President shall lend their best efforts to investigate all applications for new Chapters and report to the Department meeting at which the application of said Chapter is to be considered, the result of his/her investigation and recommendation thereon; to

recommend the revocation of the Charter of a Chapter for good and sufficient reasons; to encourage the amalgamation of weak Chapters into a strong and representative Chapter, and to promote inter-Chapter activities and relations; to visit each Chapter in the Area at least once a year; to promote a spirit of cooperation among the Chapters in his/her Area for the development of the principles of the American Legion Riders.

## **ARTICLE VIII** **ADMINISTRATION**

Section 1. The legislative and appropriate body of the organization shall be a Department Convention which shall be held annually. The time and place of such convention shall be fixed by a vote of a preceding convention but may not grant any date beyond seven (7) years. In the event that a preceding convention has not fixed a time and place for the holding of the next convention, it shall be fixed by the Department Executive Committee at least one hundred and twenty (120) days prior to the date for which the convention shall be called.

Section 2. The annual Convention (limited to a period of four (4) consecutive days, of which one (1) day shall be a Sunday, the last two (2) of which shall be restricted to ALR business only) shall be composed of delegates and alternates for each Chapter, each Chapter being entitled to two (2) delegates and two (2) alternates, and one (1) additional delegate and one (1) additional alternate for each twenty (20) members or major fraction thereof paid up thirty (30) days prior to the date of the opening of the Department Convention. The Convention shall be held concurrently with or prior to the annual convention of The American Legion Department of California. The vote of each Chapter registering at the Convention shall be equal to the total number of delegates to which the Chapter is entitled.

Section 3. Each Chapter in the Department shall, at least thirty (30) days prior to the opening of the Annual Department Convention, elect delegates and alternates to such Convention, and shall certify such election to the Department Secretary at least twenty-five (25) days prior to the opening of the Convention. Said delegate certification shall be sent to, the Department Secretary and must be authenticated by the Chapter President and Secretary. However, in case of failure to comply with the above, or in the event of a conflict as to the legality of such elected delegates, the Convention Committee on Credentials shall have the authority to accredit such delegates as can establish their election as delegates and alternates to the Convention.

No delegate or delegates from any Chapter shall be accredited in the Department Convention unless all obligations to the Department existing thirty (30) days prior to the Department Convention shall have been paid or satisfied and the Constitution and By-Laws and/or By-Laws of the Chapter for which the delegate or delegates have been elected shall have been approved by the Department Constitution and By-Laws Commission prior to the convening of the Convention.



Section 4. The Convention registration fee shall be set by the Executive Committee at their first meeting following the previous Convention. Convention registration fees are necessary to insure the due administration of this program. Convention registration fees shall be a required fee to be paid by the individual member chapters as follows: The Secretary shall bill each Chapter at the time the Chapter is notified of the number of delegates to which it is entitled. Said sum shall be paid thirty (30) days before the opening date of the Convention, and no delegate shall be accredited if said sum has not been paid. Failure to timely pay Convention registration fees as billed shall also subject the offending Chapter to disciplinary action including suspension. Three dollars (\$3.00) of said sum shall be made available to the Convention City Corporation or such organizations as may be charged with the management of the Convention upon the condition that any surplus remaining after all expenses have been paid shall be paid into the Department to be held in a fund to be used for subsequent Conventions to defray the expense thereof.

Section 5. All Past Department Presidents, Past Department Secretaries, incumbent members of the Department Executive Committee and all incumbent officers, except the Department Secretary, who attend and register as such, shall be delegates to the Department Convention with voice and vote, Convention registration fee for such delegate shall be waived by the Department.

Section 6. All chairmen of the Department Standing Committees, if not elected as delegates shall be delegates of Department Conventions, but with no right to vote.

Section 7. A quorum at a Department Convention shall consist of a majority of the Chapters partially or fully represented by duly elected delegates or alternates. No Chapter shall be represented at the Department Convention by proxy.

Section 8. Standing Committees of each Convention shall be the following: Constitution and By-Laws, Convention City, Credentials, Finance, Membership, Organization and Rules, Public Relations, Resolutions, and such other committees as the Convention or the Executive Committee shall deem fit. It is mandatory for all Convention Standing Committees to organize and function on the first (1st) day of the Convention not later than 3:00 p.m. Each Committee, except Credentials, Organization and Rules and Resolution assignment, shall be composed of one (1) delegate from each Area in the Department, the member being chosen by the delegates from such Area. In addition, the chairmen and two (2) members designated by him of each corresponding Department Standing Committee shall be ex-officio members of such Convention Committees. The "Credentials", "Organization and Rules", and the "Resolution Assignment" Committees, in order that the work of the Convention be expedited, shall be appointed by the Department President in such number as he may deem advisable, from among such delegates as will be present in the city of the Convention prior to its convening. All resolutions shall first be presented to the Resolution Assignment Committee, which said committee shall classify and assign such resolutions to the several appropriate committees without recommendations. After such resolutions shall have been so classified, they shall be returned to the Department Secretary who shall retain them in their possession until called for and received by the Chairman of the respective Standing Committee of the Convention to which such resolution shall have been assigned.

Section 9. No Department citation shall be given to any individual or organization without prior approval of delegates in Convention assembled, or in the event of an emergency, and not

previously refused by the delegates in Convention assembled, by approval of two-thirds (2/3) of the Department Executive Committee.

Section 10. At each Department Convention a budget shall be prepared by the Convention Finance Committee, said budget after setting forth the allocation for specified items including Secretary's salary, other salary items and the expenses and allowance for the President, shall also carry an item for contingencies not otherwise provided for, such budget to be presented to the Convention for its consideration. The Convention shall have the right to modify the budget as so prepared and thereafter adopt said budget as prepared or as so modified. After the adoption of the said budget no funds of the Department in excess of the budget shall be expended without the approval of a two-third (2/3) majority vote of the Executive Committee and an majority vote of the Department Finance Commission, provided, however, that in the event the Finance Commission by a majority vote shall disapprove of such expenditure in excess of the budget, the Executive Committee by a three fourths (3/4) vote may over-ride the action of the Finance Commission and approve such expenditure and such action of the Executive Committee shall be final; provided further that in no event shall funds of the Department be expended or disbursed in any fiscal year in excess of the current income of the Department during that fiscal year unless such expenditures are expressly authorized to be made from the reserve funds as provided in Article X, hereof. During the first (1st) six (6) months of each fiscal year, ordinary Department expenses may be made on the basis of anticipated income. After January 1st of each fiscal year the aggregate expenditures of the fiscal year must never exceed the aggregate income actually received during said fiscal year unless use of reserve funds is expressly authorized. In the event that it appears to the Executive Committee that the aggregate income for the fiscal year will be less than the aggregate expenditures authorized by said budget it shall be the duty of the Executive Committee, and it shall have authority from time to time to reallocate the income available for expenditures from budget items in such manner as it shall deem for the best interests of The American Legion Riders. Such reallocation shall be made by a two-thirds (2/3) vote of the Executive Committee with the approval of the Department Finance Commission by a majority vote, or by a three-quarters (3/4) vote of the Executive Committee without the approval of the Finance Commission. The fiscal period of the Department shall be July 1st to and including June 30th of the following year. At the close of each fiscal period the books and records of the Department must be audited and a copy of said audit forthwith delivered to each member of the Department Executive Committee. The Department Executive Committee or the Department President may order an audit of the books and records of the Department at such other times during any fiscal periods as may be deemed necessary or advisable. The annual budget is subject to final ratification of The American Legion Department of California in annual convention assembled.

Section 11. Except as modified by the By-Laws, or by the rules of the Convention regularly adopted, the rules of procedure at the Department Convention shall be those set forth in Robert's Rules of Order Newly Revised.

Section 12. There shall be a Department Advisory Council to be composed of the Department President, the Department Junior Past President, and the Department Vice- Presidents, to be assembled at the discretion of the Department President. The Department Secretary shall be the secretary of this committee with voice and without vote.

Section 13. The Department President, the Department Vice-President, and the Department Sergeant-at-Arms shall be elected at the regular Department Convention and shall hold office until the close of the following Department Convention. The election of the six (6) Vice-Presidents representing the six (6) areas of the Department shall be by vote of the delegates of the Chapters of each specific Area, provided further that the Area Vice-President shall be a member of a Chapter of the specific Area they are elected to represent.

Section 14. No elected officer the Department Executive Committee shall be elected to the same office for more than three (3) successive terms.

Section 15. The office of Chaplain should not be filled from the same denomination for two (2) successive terms.

Section 16. All elections at Department Convention shall be by roll call. Each Chapter reporting the total votes cast for each candidate by the delegates of the Chapter.

Section 17. The Secretary, Treasurer, Judge Advocate, Chaplain, Historian and Service Officer shall be appointed each year by the Department President with the approval of the Department Executive Committee to serve until their successors are selected or until removed by the Executive Committee upon recommendation of the Department President.

Section 18. A vacancy in an elective office of the Department, whether such vacancy occurs through death, or inability to act of the Department officer, shall be filled by the Department Executive Committee. The Department President, or in the event of a vacancy in that office, the Department Secretary shall summon the Department Executive Committee to elect a successor to fill such vacancy for the balance of said term.

Section 19. The time and place of the Annual State Convention shall be fixed such that the American Legion Riders, Department of California State Convention shall rotate the between Areas 1, 2, and 3 on odd numbered years and Area's 4, 5, and 6 on Even numbered years.

Section 20. The time and place of the Annual State Rally shall be fixed such that the American Legion Riders, Department of California State Rally shall rotate the between Areas 1, 2, and 3 on even numbered years and Area's 4, 5, and 6 on Odd numbered years.

Section 21. All financial, and nonfinancial information of each member Chapter will be made available, upon reasonable request with reasonable notification, by the Executive Committee of their respective American Legion Post, or the American Legion Post Executive Committees Designated representative. Further, such books of account shall be given by each year by each member Chapter to their respective Post and to the American Legion Riders Department of California Secretary not later than thirty (30) days prior to the opening of the annual The American Legion Riders Department Convention. Failure of any member chapter to comply with any of the requirements of this section within the times and any general or special extension as granted by the entitled or requesting party shall be deemed a delinquency and the

Delegates of such Chapter shall not be entitled to be accredited at The American Legion Riders Department of California Annual Convention.

*Section 22. Resolutions shall be presented at the Chapter level for a vote, then be presented to the Area at an Area Presidents meeting for a vote for approval before being submitted to the membership at convention. Resolutions passed at an Area meeting shall be given to the Department Secretary for posting on the American Legion Riders website for review by the department membership. (Added by ALRDOC Resolution 19-005 adopted at the ALRDOC Convention assembled in Hollister, California May 3-5, 2019; Approved by the Department of California at the Convention assembled in Ontario, California June 28-30, 2019.)*

## **ARTICLE IX** **EXECUTIVE COMMITTEE**

Section 1. The Executive Committee of the Department shall consist of the elected and appointed officers for the current year, and the Junior Past Department President as well as the Department Chaplain, Historian, and any special officer and assistant officers appointed by the President, as may have been ratified by the elected Executive Committee.

Section 2. The Executive Committee, a two-thirds vote of said committee being necessary to affect such removal, may remove any Officer or Committeeman for inefficiency. An officer who is absent from two (2) or more Executive Committee meetings may be removed, upon due investigation of the Executive Committee.

Section 3. The Department Executive Committee of The American Legion Riders shall meet at least twice a year, at the call of the President. It shall also meet within 24 hours preceding the Department Convention, and within 24 hours following the Department Convention.

Section 4. The following Department Officers will receive an official call-in: President, Vice President, Treasurer, Sergeant-At-Arms, Judge Advocate, and Area Vice Presidents. In addition to the above Officers, Committee Chairman may be officially called in to report on their Committees. In addition, assistant Sgt.-At-Arms, Assistant Secretaries and/or Assistant Judge Advocate may be officially called in as deemed necessary by the Department President or Executive Committee. Under no circumstances will any one individual receive more than (1) one call-in voucher, no matter how many titles held. The Department President and the Department Secretary will receive a call-in; however, they are exempt from the voucher clause as they fall under a different budget line item number. An Official call-in is defined as a paid Call-In in accordance with Article X, Section 4.

## **ARTICLE X** **FINANCES**

Section 1. The revenue of The American Legion Riders, Department of California, shall be derived from the annual membership dues and from such other sources as may be approved by The American Legion Riders Department of California, Executive Committee.

Section 2. The Amount of the annual Department per capita shall be \$10.00 per member, and payable by January 31 each year. In addition, the National Executive Committee of The American Legion Riders (if and when constituted) shall determine the amount of such annual National dues.

Section 3. Each individual chapter shall determine their annual membership dues, in addition to any National, District and Department dues.

Section 4. A "Call-In" check will be issued to authorized officers and committeemen reporting at, and in attendance of the entire meeting of a duly called meeting. The amount of the check will be established as part of the Department Budget established and approved at the Department Convention.

## **ARTICLE XI** **STANDING COMMITTEES**

Section 1. Subject to ratification of the Department Executive Committee, the Department President shall appoint the members of the committees of the Department. Each committee shall be so numerically composed that an equal number shall be selected from each Area of the Department. Each committee member shall serve a term of three (3) years, or until a successor is appointed. The Department President and Secretary shall be ex-officio members of all Committees. (Judge Advocate Note: "Ex-Officio" means may participate as full members with voice and vote but are not required to do so. Ex-Officio members may not be counted to determine a quorum).

Section 2. No person shall serve on the same Department Committee for more than one (1) consecutive terms (a term defined as three (3) years) or three (3) consecutive years. All Committee Chairs who have exceeded one (1) term as of April 19, 2015 shall not be reappointed as a Committee Chair.

Section 3. With the exception of the Finance Committee and the Convention Committee, an advisory board for each committee is created. The President of each Chapter shall nominate a member from their Chapter to serve on this advisory board and be the Chairman of that committee for their Chapter for one (1) year or until a successor is appointed. The Department Treasurer shall be an ex-officio member of the Finance Committee.

Section 4. The Department President shall designate, the chairman and vice chairman of each Committee, who shall serve at the pleasure of the Department President.

Section 5. At the discretion of the Department Executive Committee, the following committees of the American Legion Riders, Department of California may be established:

Finance - The Department Finance Committee will be solely responsible to create and recommend a budget for presentation and approval to the Department Delegates at the Annual

Department Convention each and every year; The Finance Committee shall have exclusive power to review the budget throughout the year and recommend adjustments to the Department Executive Committee.

Membership - The Department President at the organizational meeting of the Department Executive Committee immediately following the adjournment of the Annual Department Convention shall appoint a Membership Committee composed of seven (7) members, one representative from each Area of the Department and one representative from the Department at large, such representative being designated as Chairman. The duties of such Committee shall be to foster and promote membership in The American Legion Riders, Department of California. An advisory board for such Membership Committee shall consist of the Department Vice-Presidents.

Convention /Rally - To investigate the facilities and financial ability of cities placing a bid for a

Department Convention / Rally; to recommend to the Department Convention / Rally the city best qualified to hold a Department Convention / Rally; and upon the convention being awarded to a city by the Department

Convention / Rally; the Department Commission may become the President's official representative, with the duties of coordinating all phases of convention activities with the convention city, hosting Chapter or corporation.

Community Service/Rider Safety - To promote traffic safety among the residents of the State of California; through education and other means, to reduce the toll of deaths and injuries on the highways and to promote safe driving. To carry on the Community Betterment program of The American Legion.

Constitution and Bylaws - To recommend to the Department changes necessary or advisable for the better operation of the Department and such other duties as are delegated to it by the By-Laws of the Department.

Public Relations - Through the media, newspaper, radio and other means of dissemination of news; to spread the program of The American Legion Riders. To foster and maintain an adequate speakers' bureau.

Uniform Standards – To establish and maintain the standards of identifying apparel and logos of The American Legion Riders, Department of California.

## **ARTICLE XII** **PAST PRESIDENTS CLUB**

*Section 1. A Past Presidents Club is established for the primary purpose of mentoring the future leaders of the American Legion Riders. Membership in the Past Presidents Club is open to past Chapter and Department Presidents.*

*Section 2. Elections shall be held for the positions of President, Vice-President, Secretary and Sgt-at-Arms of the Past Presidents Club.*

*Section 3. By-Laws for the Past Presidents Club shall be created and submitted to the Department Executive Committee of the American Legion Riders. (Added by ALRDOC Resolution 19-002 adopted at the ALRDOC Convention assembled in Hollister, California May 3-5, 2019; Approved by the Department of California at the Convention assembled in Ontario, California June 28-30, 2019.)*

### **ARTICLE XIII** **MEMBERS IN ARREARS**

Section 1. A member whose dues for the current year have not been paid by January first shall be classed as delinquent. If their dues are paid on or before February first, he shall be automatically reinstated. If he is still delinquent after February, he shall be suspended from all privileges. If he is still under such suspension on June thirtieth of such year, their membership in the American Legion Riders shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by a vote of the Chapter and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Chapter, Department or the National Organization may waive the provisions hereof, upon payment of dues for the year in which the reinstatement occurs, with reference to former members who have been Prevented from the payment of dues by reason of active military service.

Section 2. Membership in the American Legion Riders is restricted to members of The American Legion, The American Legion Auxiliary, The American Legion Junior Auxiliary, or The Sons of the American Legion, a member may not renew their membership in The American Legion Riders unless they have also renewed their membership in their appropriate parent organization.

### **ARTICLE XIV** **DISCIPLINE**

Section 1. The American Legion Riders Department of California may suspend or revoke the charter of any chapter of The American Legion Riders, Department of California that violates the Constitution or By-laws of this Department, subject to the approval of the Department Executive Committee.

Section 2. Upon the cancellation or revocation of the charter of any chapter of The American Legion Riders, Department of California, the property and assets belonging to such chapters shall thereupon become property of the American Legion post to which it was attached.

Section 3. In the event that the sponsoring post of the American Legion to which the chapter was attached is no longer legally chartered, the property of that chapter shall therefore become the property of the Department.

Section 4. Members of the American Legion Riders may be suspended or expelled as provided in the Trial Manual of the American Legion Riders Department of California as adopted at 5<sup>th</sup> Annual Department Convention and subsequent amendments thereto.

Section 5. A member or Chapter may not adopt, wear, express or exhibit any apparel or other identifying material not approved by The American Legion Riders Department of California Executive Committee.

Section 6. No member of the American Legion Riders shall wear an exposed weapon, club or fixed blade knife while wearing the American Legion Riders Emblem or shall ride, or act, or behave in any manner inconsistent with the goals and purposes of the American Legion Department of California.

Section 7. No Chapter or member of the American Legion Riders Department of California will affiliate with, or associate; with Outlaw Motorcycle Gangs (OMGs) or their affiliates as defined by the California Attorney General's Office or any Federal Law Enforcement agency while wearing any American Legion regalia.

## **ARTICLE XV** **UNIFORM**

Section 1. At all official meetings, the American Legion Riders beret or official cap of a member parent organization will be the only allowed headwear.

Section 2. American Legion Riders back patches will be worn on a vest or jacket. Members having riding vests and jackets with the large or medium patch affixed to the back will comply with the guidelines of this Article of the by-laws.

Section 3. The ALR is a program of The American Legion and is not a "motorcycle club," and as such, members are representatives of The American Legion. It is required that members dress in a manner that promotes a positive image for The American Legion, particularly when operating in group activities or interacting with the community. No Pins or Patches showing support for motorcycle clubs or their support organizations shall be worn on the American Legion Riders vest or jacket. Patches and pins containing profanity or representing lewd, sexual, and violent or other such behavior or subjects will not be worn by members when they are engaged in an ALR activity or when wearing the ALR patch.

Section 4. The front of the vest or jacket should have a 50 state American flag patch high on the left-hand side. No other patch or pin will be worn higher than this patch. Such American flag shall not have any wording or other embellishment on or touching the flag except an appropriate gold or black border on or touching the flag, unless expressly approved of by the ALR DOC Executive Committee and Uniform Committee.

Section 5. The vest or jacket of the Department of California American Legion Riders will bear only the American Legion Riders Emblem as authorized by the Department of California on the back of the vest



or jacket along with the Chapter Flare at the top of the Legion Riders Emblem and the members parent organization flare at the bottom of the Legion Riders Emblem. The front of the vest or jacket shall only bear patches of military branches of service, military units, in memoriam patches, American Legion Riders Convention or event patches, a name patch or tag, the American flag, a PGR patch and an elongated Post patch if desired. No military rank patches, city, state or unauthorized unit name patches, rockers or half rockers will be worn on the vest or jacket. Flares shall be affixed to the vest or jacket adjoining the patch in the style and manner as provided by the ALR DOC Department Quartermaster.

Section 6. The bottom flare designates the member's organization status as follows:

Post members – “Veteran”: Auxiliary Unit members – “Auxiliary”: Sons of the Legion members – “Squadron”.

Section 7. The top flare will designate the respective chapter number or district number that the member belongs to.

Section 8. No unauthorized Pins or Patches showing support for motorcycle clubs or their support organizations shall be worn on the American Legion Riders vest or jacket or on any other apparel while wearing the American Legion Riders vest or jacket. Motorcycle club is defined as an organization using the term “MC” or “motorcycle club” in its name or as part of its patch or is commonly known as such.

Section 9. Members at the time of the first annual convention in Fresno, March 31-April 1, 2007, may continue to wear their existing vests and jackets without change if they do not comply with this ARTICLE except for Sections 3 or 8 or 5.

Section 10. The center patch and rockers must be obtained through the Quartermaster store in accordance with the agreement between the American Legion Riders Department of California and the Quartermaster. Each Chapter will designate no more than two persons authorized to order the patch set from the Quartermaster. The authorization will be signed by the Chapter President and Secretary and communicated to the Quartermaster. The Quarter Master will not fill orders except to designees authorized a Chapter.

Section 11. Member's compliance with these regulations shall be at the sole discretion of the American Legion Department of California Executive Committee and California American Legion Riders Department Executive Committee through the elected and appointed members thereon, or such other persons as expressly appointed thereby.

Section 12. The ‘AMERICAN LEGION RIDERS DEPARTMENT OF CALIFORNIA UNIFORM MANUAL’ as adopted by Resolution at Convention on April 19, 2015 is the official statement of the American Legion Riders Department of California for the proper display of the beret and vest regalia by individual members and its regulation, terms and conditions are incorporated herein by reference. All members of American Legion Riders Department of

California shall bring all berets and vests displaying the American Legion Riders Emblem containing the American Legion emblem into compliance as stated therein on or before June 19, 2015 and shall at all future times maintain compliance with the regulation, terms and conditions therein subject to any amendments duly made after April 19, 2015.

## **ARTICLE XVI** **RULES OF ORDER**

Section 1. Robert's Rules of Order (Newly Revised) shall govern the procedures of all Chapter and Department meetings.

## **ARTICLE XVII** **DEPARTMENT CONSTITUTION AND BY-LAWS**

Section 1. In formation of the Constitution and By-Laws governing the Department, there shall be no conflict with the National Constitution and By-Laws governing The American Legion Riders.

## **ARTICLE XVIII** **AMENDMENTS**

Section 1. These By-Laws may be amended at any Department Convention by the affirmative vote of two-thirds (2/3) of the registered delegates thereat and any amendments must be ratified by The American Legion Department of California in annual convention assembled.

Section 2. All future amendments to the Department of California American Legion Riders By-Laws will be reviewed by the Department of California American Legion Riders Commissioners and the American Legion Department of California Judge Advocate for approval.