

CONSTITUTION  
OF THE  
ENLISTED ASSOCIATION  
OF THE  
NATIONAL GUARD  
OF THE  
UNITED STATES  
AUXILIARY

Adopted August, 1988  
St. Louis, MO

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# ARTICLE I

## NAME

The name of this organization is “ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES AUXILIARY,” hereinafter known as the “AUXILIARY”.

# ARTICLE II

## PURPOSES AND POWERS

2.1 **PURPOSES.** The purposes of the AUXILIARY are to:

- (a) support the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES in its purposes, and
- (b) to be a non-profit organization which in no way participates in a political campaign nor in opposition to any candidate for political office.

2.2 **POWERS.** The AUXILIARY has all the powers necessary to further its purposes.

2.3 **MOTTO.** The motto of the AUXILIARY is:

**“SIDE BY SIDE WE STAND WITH PRIDE”**

# ARTICLE III

## INDIVIDUAL MEMBERSHIP

**3.1 CLASSES OF MEMBERSHIP.** The classes of membership are:

- (a) Annual
- (b) Life
- (c) Honorary
- (d) National Associate

**3.2 QUALIFICATIONS AND REQUIREMENTS FOR MEMBERSHIP.**

- (a) **ANNUAL.** An individual must be the spouse of a member in good standing, or of a deceased member in good standing at the time of his/her death, of the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES. The individual also must be a member of a state auxiliary chartered with the AUXILIARY.
- (b) **LIFE.** An annual member may become a life member by payment of an amount approved by the membership, in addition to the annual dues which apply until the applicant reaches the age of sixty (60). This is a non-refundable payment. After age sixty (60) no dues are required. Application must be accompanied by verification of eligibility by the treasurer of the chartered state of which the applicant is an annual member.
  - (1) Each state shall notify the AUXILIARY Treasurer of the ineligibility of any life member when submitting the annual membership list and dues payment.
- (c) **HONORARY.** The Executive Council may, by majority vote, confer honorary membership on a person who has rendered outstanding service to the United States, any political subdivision thereof, or the AUXILIARY. Honorary members shall not be: a voting delegate, eligible for scholarships, or qualified to hold office in the AUXILIARY.
- (d) **NATIONAL ASSOCIATE.** National associate membership may be issued to individuals who support the objectives of the AUXILIARY, but are not otherwise qualified for annual or lifetime membership in the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES or the AUXILIARY. A national associate member must be an associate member of a state that is chartered. An associate member shall not be: a voting delegate, eligible for scholarships, or qualified to hold office in the AUXILIARY.

**3.3 DUES.** Annual prescribed dues as set forth by the AUXILIARY are to be paid to the AUXILIARY Treasurer by the treasurers of the chartered states, accompanied by a complete name and address for each member whose dues are being paid, postmarked by December 31 of each year.

- (a) Any state which has not paid dues will be notified of “dues in arrears” by the AUXILIARY Treasurer. Notice will be sent to the state president, state treasurer, and area directors for the state involved. The state will then have thirty (30) days after notification, to pay the dues and provide a membership list or voting privileges will be lost at the AUXILIARY General or Special Conference held in that year.

**3.4 TERMINATION.** Individual membership is automatically terminated by:

- (a) Failure or refusal to pay prescribed dues.
- (b) Divorce or legal separation from spouse.
- (c) Failure of spouse to retain membership in the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES.

# ARTICLE IV

## STATE MEMBERSHIP

- 4.1 **CHARTERING.** A state may be chartered to the AUXILIARY upon approval of the Executive Council and payment of prescribed dues if it has at least three (3) members who are eligible for annual membership as defined in Article III, Section 3.2. If the chartering state has no written constitution or bylaws, it shall be governed by this Constitution until such time as its state document can be written and adopted.
- 4.2 **DORMANCY.** If the membership of a state falls below three (3), its charter shall become dormant until such time as the membership returns to at least the number necessary to charter.
- 4.3 **LIFE MEMBERS.**
- (a) The member shall retain life membership in the AUXILIARY and may become a non-resident member of the auxiliary of another state by paying annual dues and meeting any membership requirements of that state.
  - (b) Unaffiliated life members from dormant states who are in attendance at an AUXILIARY General or Special Conference shall caucus on the first day of the Conference to select a chairperson. The group of unaffiliated life members shall be entitled to one (1) at-large vote, which will be cast by the selected chairperson. (Refer to Article IX, 9.4 (e))

# ARTICLE V

## OFFICERS

**5.1 TITLES.** The officers of the AUXILIARY are:

- (a) President
- (b) Vice President
- (c) Secretary
- (d) Treasurer
- (e) Immediate Past President

**5.2 DUTIES AND POWERS.**

- (a) **PRESIDENT** is a member ex-officio of all committees, and a member of the Executive Council, and chairperson thereof. The President shall:
  - (1) Direct the affairs of the AUXILIARY in accordance with the policies adopted in a General or Special Conference of the AUXILIARY and with this Constitution.
  - (2) Appoint all Standing, General, and Special Conference Committees, and designate the chairperson and vice-chairperson of each.
  - (3) Appoint a chaplain, sergeant-at-arms, parliamentarian, and such other appointees as are necessary for the conducting of business at a General or Special Conference.
  - (4) Designate a chairperson of each Area Caucus.
  - (5) Issue a call for a General Conference, and when instructed to do so by the Executive Council, issue the call for a Special Conference of the AUXILIARY and make the necessary arrangements for such Conference.
  - (6) Prepare and publish an agenda for the Conference.
  - (7) Render an annual report to the AUXILIARY.
  - (8) Publish (with the exception of the National Conference month) a monthly newsletter and send to all AUXILIARY officers, committee chairperson, Area Directors, the president and secretary of each chartered state, all past AUXILIARY presidents and such other persons as deemed necessary.
  - (9) Prepare and recommend annually to the Finance Committee a proposed budget consisting of an itemized statement of estimated revenue and anticipated expenditures for the next fiscal year.

- (10) Upon the recommendation of the Finance Committee and the approval of the Executive Council, authorize and incur non-budgeted expenses deemed necessary for the operation of the AUXILIARY.
  - (11) Assign additional duties to the Vice President, Secretary, Treasurer, and Immediate Past President of the AUXILIARY, provided these duties are not inconsistent with this Constitution or the usual duties normally performed by these officers.
  - (12) Perform such other duties as are usually performed by the president of an organization, or as may be prescribed by this Constitution or assigned by the Executive Council of the AUXILIARY.
- (b) **VICE PRESIDENT** is a member of the Executive Council and shall:
- (1) Assume the office, title, and privileges of the President in the event of the termination, resignation, or removal from office of that officer, and serve the remaining portion of the term or until a successor is elected and installed.
  - (2) Perform such other duties as are usually performed by the vice president of an organization, or as may be prescribed by this Constitution or assigned by the President of the AUXILIARY.
- (c) **SECRETARY** is a member and secretary of the Executive Council and shall:
- (1) Be the recording officer of the AUXILIARY.
  - (2) Be responsible for keeping the records of the AUXILIARY, including the official history.
  - (3) Perform such other duties as are usually performed by the secretary of an organization, or as may be prescribed by this Constitution or assigned by the President of the AUXILIARY.
- (d) **TREASURER** is a member of the Executive Council and an ex-officio member of the Finance Committee and shall:
- (1) Be the custodian of all AUXILIARY funds.
  - (2) Be responsible for keeping an accurate account of all monies, securities and properties received.
  - (3) Render an annual report to the AUXILIARY.
  - (4) Render a report whenever requested to do so by the President, the Finance Committee, or the Executive Council.
  - (5) Keep the membership records of the AUXILIARY.
  - (6) Perform such other duties as are usually performed by the treasurer of an organization, or as may be prescribed by this Constitution or assigned by the President of the AUXILIARY.

(e) **IMMEDIATE PAST PRESIDENT** is a member of the Executive Council and shall:

- (1) Not succeed to any other elected office of the AUXILIARY which may have been vacated by death, resignation, incapacity, or removal unless elected thereto under the procedures prescribed in this Constitution.
- (2) Perform such other duties as are usually performed by the immediate past president of an organization, or as may be prescribed by this Constitution or assigned by the President of the AUXILIARY.

**5.3 ELECTION.** The President, Vice President, Secretary and Treasurer of the AUXILIARY shall be elected biannually by the majority ballot of a General Conference of the AUXILIARY. In the event that no candidate received a majority vote, succeeding votes shall be taken on the two (2) candidates who received the highest number of votes cast in the first ballot.

(a) Ballots shall be distributed and collected by Tellers appointed by the Auxiliary President.

The Tellers shall:

1. Compile a report of the ballots tallied.
2. Verify that the total number of votes cast agrees with the numbers certified for the General Conference by the Credentials and Rules Committee.
3. Submit the report to the President.
4. The President will announce the results without disclosure of the number of votes cast for each candidate.
5. The President shall then call for a motion to destroy the ballots.

**5.4 TENURE.**

- (a) The officers of the AUXILIARY shall be installed in office on the last day of the General Conference by which they are elected.
- (b) The officers shall hold office for a term of two (2) years, or until their successors are elected and installed.

**5.5 TERMINATION.** Termination may be by:

- (a) Resignation.
- (b) Removal from office by two-thirds (2/3) vote of the Executive Council for conduct detrimental to the AUXILIARY, or for mental or physical incapacity.
- (c) Loss of membership eligibility.

# ARTICLE VI

## AREA DIRECTORS

There shall be two (2) Area Directors from each Area. Whenever possible, there shall be one (1) representing Army National Guard and one (1) representing Air National Guard. Area Directors are members of the Executive Council.

**6.1 DUTIES.** Area Directors shall:

- (a) Provide liaison between the AUXILIARY and the states in their respective Areas.
- (b) Visit state conferences as a representative of the AUXILIARY whenever possible, if invited.
- (c) Provide information or advice on AUXILIARY matters to states in their Areas upon request.
- (d) Be authorized one (1) vote on items of business coming before the membership, representing the Area of which elected.

**6.2 ELECTION.**

- (a) Area Directors are elected at each General Conference of the AUXILIARY by a caucus of members present from each Area. (Refer to Article IX, 9.5)
- (b) Area Directors are elected for two (2) year staggered terms, one (1) nominee being elected each year from each Area.
- (c) Vacancies shall be filled by election at the next General Conference after the vacancy occurs by the method prescribed above.

**6.3 TERMINATION.** Tenure and termination shall be the same as for AUXILIARY officers. (Refer to Article III, 3.4)

# ARTICLE VII

## EXECUTIVE COUNCIL

**7.1** **MEMBERSHIP.** The Executive Council shall consist of:

- (a) The elected officers of the AUXILIARY (as defined under Article V).
- (b) The Immediate Past President
- (c) Two (2) Area Directors from each Area (as defined under Article VI).

**7.2** **DUTIES AND POWERS.** The Executive Council shall be empowered to:

- (a) Act as the governing body of the AUXILIARY in accordance with the policies adopted in a General or Special Conference of the AUXILIARY.
- (b) Aid and advise the AUXILIARY President when requested to do so.
- (c) In the event of a vacancy on the Council elect, by majority vote, a successor to serve until the next General Conference.
- (d) Convene at the call of the AUXILIARY President, or upon written request signed by a majority of the Council members and communicated to each member of the Council.
- (e) Issue the call, fixing the time and place, following a majority vote of the entire Council, for a General or Special Conference of the AUXILIARY in the event the President fails or refuses to do so.
- (f) Present to the General Conference for its consideration the annual budget received from the Finance Committee, following Council analysis and approval.
- (g) Remove from office any officer of the AUXILIARY who fails to comply with all the membership requirements and does not resign from office.
- (h) Be entitled to cast only one (1) vote that of the office held. Council members may not serve as a state delegation chairperson or be a delegate from any state.
- (i) Request an audit by a Certified Public Accountant of the records and finances of the AUXILIARY in addition to the annual audit.
- (j) Refuse membership to any person by two-thirds (2/3) vote.
- (k) Approve the chartering of state auxiliaries by two-thirds (2/3) vote in accordance with Article IV.
- (l) Perform such additional duties and exercise such additional powers as are not specifically in conflict with the Constitution of the AUXILIARY.
- (m) Determine whether any officer of the AUXILIARY is to receive a salary, compensation or allowances, and fix the rate, amount, time and method of payment.

# ARTICLE VIII

## COMMITTEES

**8.1 STANDING COMMITTEES.** The Standing Committees of the AUXILIARY are:

- (a) Finance Committee
- (b) Constitution Committee
- (c) Legislative Committee
- (d) Public Relations Committee
- (e) Scholarship Committee
- (f) Ways and Means Committee
- (g) Continuity Committee
- (h) Family Affairs Committee
- (i) Membership Committee

**8.2 DUTIES AND MAKE-UP OF STANDING COMMITTEES.**

Committee members, chairperson and vice-chairperson shall be appointed by the AUXILIARY President. (Refer to Article V, 5.2)

- (a) **FINANCE COMMITTEE** shall consist of eight (8) members; one (1) from each Area, plus the AUXILIARY Treasurer as an ex-officio member. Term of office shall be two (2) years, staggered so that each year at least three (3) members complete their tenure. The Finance Committee shall:
  - (1) Accept donations and bequests in the name of the AUXILIARY.
  - (2) Review the annual budget as recommended by the President; revise, amend or modify it as desired; and recommend its adoption to the Executive Council.
  - (3) Consider requests for extraordinary or unforeseen expenditures not provided for in the approved annual budget, and if deemed warranted, recommend approval to the Executive Council.
  - (4) Examine the annual audit of the records and finances of the AUXILIARY.
  - (5) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
  - (6) Perform other duties and exercise such additional powers as are granted or required by this Constitution or as customarily done by such a committee.

- (b) **CONSTITUTION COMMITTEE** shall consist of seven (7) members; one (1) from each Area. The Constitution Committee shall:
- (1) Study the Constitution of the AUXILIARY with a view to its improvement; draft proposed amendments thereof; submit them to the President for distribution to the chartered states at least thirty (30) days prior to the annual General Conference, or submit them to a General or Special Conference for approval.
  - (2) Study proposed amendments submitted by a state or individual member and render a report to the President with recommendations for or against presentation to the AUXILIARY. Favorable recommendation requires a majority vote of the members of the Constitution Committee present and voting.
  - (3) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
  - (4) See Article XII, Amendments, for amendment procedures.
- (c) **LEGISLATIVE COMMITTEE** shall consist of seven (7) members, one (1) from each Area. The Legislative Committee shall:
- (1) Work with the President, Area Directors and state presidents/legislative chairpersons to inform the entire AUXILIARY membership on legislative issues pending before the Congress of the United States which would affect the operation and maintenance of the National Guard or family affairs matters.
  - (2) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
- (d) **PUBLIC RELATIONS COMMITTEE** shall consist of that number of members deemed necessary by the President to perform its prescribed duties. The Public Relations Committee shall:
- (1) Develop and recommend to the Executive Council policies which will establish and maintain good will with members of the Federal and state governments and with all the public.
  - (2) Study any adverse publicity concerning the AUXILIARY and make recommendation to the Executive Council to remedy the situation.
  - (3) Promote good will, friendship and cooperation between AUXILIARY members.
  - (4) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.

- (e) **SCHOLARSHIP COMMITTEE** shall consist of seven (7) members; one (1) from each Area. The Scholarship Committee shall:
- (1) Provide applications and insure that information on the scholarship program is distributed to all chartered state auxiliaries prior to October 31 of each year.
  - (2) Receive all applications from the chartered state auxiliaries.
  - (3) Establish criteria and deadline dates to be used in the selection of the recipients of all scholarships.
  - (4) Acquire judges to evaluate all entries.
  - (5) Render a report to the AUXILIARY at the annual General Conference, which will include: (i) names of all recipients and alternates for the scholarships, and (ii) names and information pertaining to the judges used in the evaluation of applications.
- (f) **WAYS AND MEANS COMMITTEE** shall consist of seven (7) members, one (1) from each Area. The Ways and Means Committee shall:
- (1) Develop and recommend to the Executive Council programs that will benefit the financial needs of the AUXILIARY.
  - (2) Promote and implement the fund-raising projects selected by the Executive Council.
  - (3) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
- (g) **CONTINUITY COMMITTEE** shall consist of a chairperson, plus one (1) member from each state appointed by the state auxiliary president to act as liaison with the chairperson. In the event that the state does not notify the chairperson of its appointee, the state auxiliary secretary shall be considered to be that liaison. The Continuity Committee chairperson shall:
- (1) Advise the Executive Council on all matters affecting members of the AUXILIARY whose spouses are retired or who are widowed.
  - (2) Promote increased participation and interest among retired or widowed members.
  - (3) Publish a periodic newsletter to be sent to all retired or widowed members whose membership is verified by the liaison from the state in which that person is a member.
  - (4) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.

- (h) **FAMILY AFFAIRS COMMITTEE** shall consist of a chairperson, plus one (1) member from each state appointed by the state auxiliary president to act as liaison with the chairperson. In the event that the state does not notify the chairperson of its appointee, the state auxiliary president shall be considered to be that liaison. The Family Affairs Committee Chairperson shall:
  - (1) Serve as liaison between the AUXILIARY President, the National Guard Association of the United States Committee on Families, the National Guard Bureau, the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES, and the chartered states of the AUXILIARY.
  - (2) Promote and encourage increased awareness of and participation in National Guard family programs by AUXILIARY members.
  - (3) Write a monthly column for the AUXILIARY newsletter containing pertinent information for National Guard families, and correspond with state liaison personnel at least once in each calendar quarter.
  - (4) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
  
- (i) **MEMBERSHIP COMMITTEE** shall consist of a chairperson, plus one (1) member to cover Areas I and II, one (1) to cover Area III, one (1) to cover Areas IV and VI, and one (1) to cover Areas V and VII. The Membership Committee shall:
  - (1) Correspond with AUXILIARY President and Area Directors in the respective states of responsibility, to obtain names of new AUXILIARY members and to write letters of welcome to each new member.
  - (2) Promote communications across the states, offer encouragement and assistance where needed.

**8.3 CONFERENCE COMMITTEES.** The Conference Committees of the AUXILIARY are:

- (a) Credentials and Rules Committee
- (b) Resolutions Committee
- (c) Nominating Committee

**8.4 DUTIES AND MAKE-UP OF CONFERENCE COMMITTEES.** Committee members, chairperson and vice-chairperson shall be appointed by the President to serve during any Conference of the AUXILIARY or until discharged by the Conference so appointed. (Refer to Article V, 5.2)

- (a) **CREDENTIALS AND RULES COMMITTEE** shall consist of eight (8) members; a chairperson and one (1) member from each Area. The Credentials and Rules Committee shall:
- (1) Subject to an appeal to the Conference concerned, rule on the credentials of each delegate to a General or Special Conference of the AUXILIARY.
  - (2) Cause each member of the voting body of a General or Special Conference to be provided with appropriate identification.
  - (3) Render a report to the General or Special Conference consisting of a list of the members of the voting body and a recommendation concerning any special rules to be adopted by the Conference concerned.
- (b) **RESOLUTIONS COMMITTEE** shall consist of eight (8) members; a chairperson and one (1) member from each Area. The Resolutions Committee shall:
- (1) Formulate resolutions and consider those referred to it.
  - (2) Have the authority to revise, amend, modify or reject any resolutions as desired. Each resolution not rejected shall be recommended to the General or Special Conference for adoption.
  - (3) Render a report to the AUXILIARY at the annual General Conference and otherwise as requested by the President.
- (c) **NOMINATING COMMITTEE** shall consist of eight (8) members; a chairperson and one (1) member from each Area. The Nominating Committee shall:
- (1) Convene on the first day of a General or Special Conference at which officers and/or Area Directors are to be elected.
  - (2) Prepare a slate of nominees for each office to be filled.
  - (3) Receive applications from members desiring to run for office.
  - (4) Report to the General or Special Conference its slate of nominations, including the names referred to it by respective Area Caucuses for election as Area Directors.

# ARTICLE IX

## CONFERENCES

- 9.1 GENERAL CONFERENCES.** A General Conference of the AUXILIARY shall be convened annually at the time and place selected by the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES.
- 9.2 SPECIAL CONFERENCES.** A Special Conference of the AUXILIARY may be convened when required, at any location specified by the authority calling the Conference. (Refer to Article V. 5.2 and Article VII. 7.2)
- 9.3 QUORUM.**
- (a) **CONFERENCES.** Fifty-one percent (51%) of the chartered states constitutes a quorum at any General or Special Conference of the AUXILIARY, but less than that may adjourn to convene at a specified time. For this purpose, a state shall be recorded as present if represented by at least one (1) accredited delegate.
  - (b) **EXECUTIVE COUNCIL, COMMITTEES, AREA CAUCUSES.** A majority of the members of the Executive Council, Standing or Special Committees, Conference Committees, or Area Caucuses constitutes a quorum.
- 9.4 REPRESENTATION.**
- (a) Representation at a General or Special Conference of the AUXILIARY shall be by chartered state. The number of state delegates apportioned to and accredited annually by each chartered state shall be as follows:
    - (1) Chartered states with three (3) – five (5) members shall have a number of delegates equal to their membership number.
    - (2) Chartered states with six (6) – fifty (50) members shall have six (6) delegates.
    - (3) Chartered states with more than fifty (50) members shall have six (6) delegates, plus one (1) additional delegate for each additional fifty (50) members.
    - (4) Each chartered state shall be entitled to one (1) alternate per authorized delegate. Alternate(s) may be seated as delegate(s) in case(s) of personal and/or professional emergencies that prevent regular delegate(s) from being present at one or more sessions of the General or Special Conference.

- (5) In the event that a chartered state does not have alternates attending the General or Special Conference affected, that state shall be authorized to vote by proxy. To exercise the privilege of voting by proxy, a chartered state must have the minimum of one (1) delegate in attendance at the conference affected. (Refer to Article IX, 9.3 (a))
- (b) Proxy votes during General or Special Conferences.
    - (1) May replace delegates who cannot attend the conference in case of a personal and/or professional emergency.
    - (2) May replace delegates in attendance at the conference who must leave the conference in the case of a personal and/or professional emergency.
    - (3) Shall be validated by the Credentials and Rules Committee prior to the opening of each session of the conference affected.
    - (4) Be cast by the chairperson of the state delegation.
  - (c) Delegates, Alternates or Proxies during General or Special Conferences.
    - (1) Must be members in good standing as of December 31 of the year preceding the Conference affected.
    - (2) Must be annual or life members of the chartered state they represent.
    - (3) Must be submitted in writing by the chairperson of the chartered state delegation to the Credentials and Rules Committee prior to the opening sessions of the conference affected.
    - (4) Shall be validated by the Credentials and Rules Committee prior to the opening of each session of the conference affected.
  - (d) At any General or Special Conference the voting body shall consist of:
    - (1) Each accredited state delegate,
    - (2) Each member of the Executive Council, and
    - (3) Unaffiliated life members from dormant states constituting one at-large vote (Refer to Article IV, 4.3(b)).
  - (e) Each member of the voting body shall be entitled to one (1) vote on each matter acted upon by the General or Special Conference.
  - (f) Upon demand of five (5) or more chartered states, the presiding officer shall order a vote by roll call of the states.

(g) In the event of a roll call vote, a delegate from any chartered state may request that the delegation be polled, in which case the Secretary shall:

- (1) Poll the members of the delegation.
- (2) Determine the votes there-of.
- (3) Record the votes as reflected in the polling.

**9.5** **STATE CAUCUSES**. A state caucus composed of the accredited state delegates and any members of the Executive Council whose membership is credited to that chartered state shall be convened whenever:

- (a) The Report of the Nominating Committee has been presented;
- (b) More names for the office of Area Director are presented than there are vacancies to be filled in an Area Caucus for the Area of which the state is a member; and/or
- (c) The presiding officer of the AUXILIARY or the chairperson of the delegation deems such a caucus necessary;
- (d) Or by majority vote of the delegation.

**9.6** **AREA CAUCUSES**. The purpose of the Area Caucus is the selection of an Area Director to serve in the vacancy created by expiration of term of office or the resignation or inability to serve of an incumbent; or matters acted upon by the General or Special Conference requiring a consensus of or vote from the Areas.

- (a) Area Caucus State Delegates: An Area Caucus to a General or Special Conference is composed of one accredited delegate from each state in the Area, of which is appointment by the state delegation chairperson.
- (b) Each Area Caucus shall be presided over by the Area Directors who shall share equally in all responsibilities where feasible or other chairperson appointed by the AUXILIARY President in the absence of the senior Area Director.
- (c) Each State Delegate to the Area Caucus shall be entitled to one (1) vote in matters voted on by the Area Caucuses, except that the chairperson shall not vote except to break a tie or unless appointed as a delegate to the Area Caucus by the state delegation chairperson.
- (d) Voting shall be by the manner selected by the State Delegates of the Area Caucus. Any Area Caucus State Delegate may request ballot voting.

**9.7** **TENURE**. An Area Caucus shall serve until discharged by the General or Special Conference of which it is a part.

# ARTICLE X

## FISCAL

- 10.1 FISCAL YEAR.** The fiscal year of the AUXILIARY commences on January 1 and ends on December 31 of each year to coincide with the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES fiscal year.
- 10.2 BOND.** The Executive Council may, by majority vote, require the bonding of any person controlling AUXILIARY funds, and shall authorize payment of any premium.
- 10.3 AUDIT.** The records and finances of the AUXILIARY shall be audited annually by an audit committee appointed by the Executive Council prior to the General Conference and the report transmitted to the Finance Committee. (Refer to Article VII, 7.2)
- 10.4 FUNDS.** The funds of the AUXILIARY shall be:
- (a) Deposited in the name of the AUXILIARY in a bank or similar institution.
  - (b) Expended, without further authority from the Executive Council, in support of the approved annual budget.
  - (c) Expended in excess of the approved annual budget on two-thirds (2/3) approval of the Executive Council.
- 10.5 EXPENDITURES.** Bills, claims and expenditures of the AUXILIARY are to be paid in the following manner. (Refer to Article V. 5.2):
- (a) Determined certifiable, within the guidelines established in the annual budget, by the President of the AUXILIARY.
  - (b) Forwarded to the Executive Council by the AUXILIARY President for approval if expenditure exceeds annual budget amount.
  - (c) Certifiable and approved expenditures are paid by warrant drawn on the funds of the AUXILIARY and executed by any two (2) of the following:
    - (1) President
    - (2) Vice President
    - (3) Secretary
    - (4) Treasurer
- 10.6 DISSOLUTION.** In the event of dissolution, the residual assets of the AUXILIARY shall be turned over to the ENLISTED ASSOCIATION OF THE NATIONAL GUARD OF THE UNITED STATES Building Fund.

# ARTICLE XI

## PARLIAMENTARY AUTHORITY

Robert's Rules of Order, Newly Revised, shall serve as the parliamentary authority except where it is in conflict with the Constitution of the AUXILIARY, or with standing or special rules established by a General or Special Conference.

# ARTICLE XII

## AMENDMENTS

**12.1 BY TWO-THIRDS (2/3) VOTE.** This Constitution may be amended by two-thirds (2/3) vote of the delegates at any General or Special Conference. (Refer to Article VIII, 8.2) The procedure shall be as outlined below.

- (a) The amendment must be submitted in writing by an individual member or chartered state to the President of the AUXILIARY and the chairperson of the Constitution Committee at least ninety (90) days prior to the date set for convening the General or Special Conference at which the proposed amendment may be considered.
- (b) As soon as practical after the receipt of a proposed amendment, the Constitution Committee chairperson shall distribute copies to the members of the Constitution Committee.
- (c) The President of the AUXILIARY shall distribute a copy of the proposed amendment to each state auxiliary president so that it shall arrive not later than thirty (30) days prior to the date set for the convening of the General or Special Conference at which it will be considered.
- (d) The Constitution Committee shall render a report to the General or Special Conference with such recommendations concerning the amendment as it may see fit to offer.

**12.2 BY UNANIMOUS VOTE.** The following actions require a unanimous vote from the membership.

- (a) This Constitution may be amended at any General or Special Conference by a unanimous vote without prior notice to the chartered states.
- (b) Any amendment proposed at a General or Special Conference shall be submitted to the AUXILIARY President and considered and acted upon by the Constitution Committee, which shall then make its recommendation to the specified Conference.

**12.3 EFFECTIVE DATE.** Unless otherwise provided, an amendment shall be effective upon adjournment of the General or Special Conference at which it was adopted.

# ARTICLE XIII

## WAR OR NATIONAL EMERGENCY

**13.1 INVOCATION.** This Article may be invoked by majority vote of the Executive Council in event of:

- (a) War
- (b) National Emergency proclaimed by the President of the United States, or declared by the Congress of the United States.

**13.2 TENURE AND FILLING VACANCIES.** On or after the date of invocation of this Article:

- (a) Subject to the provisions of Article V, Section 5.4, the tenure of each officer of the AUXILIARY is, if so determined by a majority vote of the Executive Council, extended for the duration of the war or emergency and for six (6) months thereafter, or until the Executive Council by majority vote determines that this Article shall no longer remain in effect.
- (b) In the event of a vacancy on the Executive Council other than an officer of the AUXILIARY, the Executive Council shall by majority vote elect a member of a chartered state of the appropriate Area to serve the unexpired term of the period of tenure.
- (c) In the event of a vacancy in the office of President, and there is at the time no Vice President to succeed to that office, the Executive Council shall by majority vote elect to the office of President a member of the existing Council.
- (d) In the event of a vacancy in the office of Vice President, Secretary or Treasurer, the Executive Council shall by majority vote elect a member of the AUXILIARY to fill the office. Such member may be a member of the Executive Council which fills the vacancy.
- (e) A member of the Executive Council elected to be an officer of the AUXILIARY vacates the seat previously held.
- (f) The Executive Council may suspend the operation of Articles VII and/or X of this Constitution.

## ARTICLE XIV

### DEFINITIONS

#### FOR THE PURPOSE HEREIN:

AMENDMENT	means the process of changing or modifying for the better by parliamentary or constitutional procedure.
AREA	means and includes:  AREA I: Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island and Vermont. AREA II: Delaware, District of Columbia, Kentucky, Maryland, North Carolina, Ohio, Pennsylvania, Virginia, West Virginia and NGB Title X. AREA III: Alabama, Florida, Georgia, Puerto Rico, South Carolina, Tennessee and Virgin Islands AREA IV: Arkansas, Kansas, Louisiana, Mississippi, Missouri, Oklahoma and Texas AREA V: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, South Dakota and Wisconsin AREA VI: Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah and Wyoming AREA VII: Alaska, California, Guam, Hawaii, Oregon and Washington
BALLOT	shall mean a written vote.
CAUCUS	is defined as a closed meeting of a group of persons belonging to the same faction (i.e. groups of states identified as an AREA).
COMMITTEE	is defined as a body of persons delegated by the Auxiliary President to consider, investigate, take action on, or report on some matter specific to the purpose of the Enlisted Association of the National Guard of the United States Auxiliary.
CONCENSUS	is defined as the judgment arrived at by most of those concerned.

CONSTITUTION	is a written instrument or document embodying the rules of political or social organization that determines the powers and duties of the entity's governing body.
DISSOLUTION	means and includes the act or process of dissolving or terminating.
FISCAL YEAR	is defined as the period of January 01 through December 31.
HEREINAFTER	means and includes in the following part of this writing or document.
INVOCATION	is defined as the act or process of petitioning for help or support.
MAJORITY VOTE	means and includes at least one more than fifty percent (50%) of the legal votes cast.
MAY	is used in the permissive sense.
MAY NOT	is used in the prohibitive sense.
POLICIES AND/OR PROCEDURES	are defined as a series of steps formatted in an outline form to support a definite course or method of action selected for the purpose of fulfilling the goals and objectives of an entity's or organization's mission and philosophy.
PRESIDENT OF A STATE AUXILIARY	means and includes the elected president of a state auxiliary or the enlisted member chosen to represent the enlisted portion of that state auxiliary associated with the AUXILIARY, in the event that the state president is ineligible for AUXILIARY membership.
PROXY	means and includes a document giving such authority authorizing a specified person the right to represent an absentee member on actions that require a vote.
REPRESENTATION	means and includes the action of fact of one person standing for another person so as to have the rights and obligations of the person represented.
RESOLUTIONS	means and includes a formal expression of opinion, will or intent voted by an official body or assembled group.

SHALL	is used in the imperative use.
SPOUSE	means and includes the husband or wife of a member of the Enlisted Association of the National Guard of the United States, excluding honorary, associate or corporate members, or the widow(er) of a person who was an annual or life member of the said Association at the time of death.
STATE	means and includes a state, commonwealth, territory, and the District of Columbia.
TENURE	means the term of holding position or office.
TWO THIRDS (2/3) VOTE	means and includes two thirds of the legal vote cast.

**AMENDMENTS AND DATES AS FOLLOWS:**

<b><u>DATE</u></b>	<b><u>ARTICLE/PARAGRAPH</u></b>	<b><u>ACTION</u></b>
22 August, 1990	Article III, Section B, paragraph 2	Amended
	Article VIII, Section C, paragraph 2	Amended
10 September, 1991	Article V, Section B, paragraph 8	Amended
26 August, 1992	Article VIII, Section D, paragraph 2	Amended
	Article VIII, Section D, paragraph 3	Amended
24 August, 1993	Article IV, Section C, paragraph 1	Amended
	Article IV, Section C, paragraph 2	Amended
	Article V, Section B, paragraph 8	Amended
	Article VI, Section A, paragraph 4	Amended
	Article VII, Section B, paragraph 8	Amended
	Article VIII, Section D, paragraph 2a	Amended
	Article X, Section F	Amended
	Article, XIV, paragraph 12	Amended
22 August, 1995	Article III, Section C	Amended
17 August, 1998	Article III, Section B, paragraph 4	Amended
19 August 1998	Article VIII, Section A, paragraph 9	Amended
	Article VIII, Section C, paragraph 9	Amended
24 August, 1999	Article III, Section B, paragraph 2	Amended
	Article IX, Section D, paragraph 1	Amended
	Article IX, Section D, paragraph 2	Amended
	Article IX, Section D, paragraph 3	Amended
	Article IX, Section D, paragraph 4	Amended
	(renumbered 3, 4, 5, and 6 to be 5, 6, 7, 8)	
21 August, 2000	Article VIII, Section D, paragraph 1a	Amended
23 August, 2000	Article III, Section B, paragraph 4	Amended
20 August, 2002	Index (page numbers added)	Amended
	Articles I-VII (consistency & format changes only)	Amended
	Article I	Amended
	Article III, 3.2 (c)	Amended
	Article III, 3.2 (d)	Amended
20 August, 2003	Articles VIII-XIV (consistency & format changes only)	Amended
	Article IX, 9.6	Amended
	Article IX, 9.4 (d) (3)	Amended
	Article X, 10.3	Amended
	Article XIV, Definitions	Amended

24 August 2005

Article V, Section 5.3  
Article IX, Section 9.6 (b)  
Article IX, Section 9.6 (b)

Added  
Amended  
Amended