

DEPARTMENT BYLAWS

Article I

Administration

Section 1. The administrative power and management of the Department between conventions shall be vested in the Department President and the Department Executive Committee.

Section 2. (a) The Department Executive Committee shall consist of the Department President, Department First Vice President, Department Second Vice President, Retiring Department President who serves as Representative on the National Executive Committee and the District Presidents. All Past National Presidents from Minnesota shall be ex-officio members without vote.

Section 2. (b) When a District President is unable to attend a meeting of the Department Executive Committee, the District First Vice President will act; if the First Vice President is unable to attend, the Second Vice President will act. In case of inability of the Vice Presidents to attend, the District Executive Committee will elect a representative from the District for the meeting in question. The representative who attends will have all powers delegated by the constitution to the District President, and will be entitled to the same expense allowance.

Section 3. The Department Executive Committee shall meet at least four times during each fiscal year, the first meeting to be called within thirty (30) days after the Department Convention, and before the National Convention. The Department President shall call a special meeting upon the written request of five or more members of the Committee.

Section 4. The Department Executive Committee shall elect three of its members, who, together with the Department President, First Vice President and Second Vice President, shall constitute a subcommittee which shall have all the powers of the Executive Committee, subject to the action of that committee, and may meet four times in each fiscal year.

Section 5. A majority of the Department Executive Committee shall constitute a quorum. Four members of the subcommittee shall constitute a quorum.

Section 6. (a) In case of death, resignation or removal of the Department President, the First Vice President shall immediately succeed to the office, the Second Vice President automatically succeeding to the office of First Vice President. Vacancies in all other Department Offices occurring between conventions shall be filled by the Department Executive Committee.

Section 6. (b) A vacancy occurring among District Presidents shall be filled by the District First Vice President automatically succeeding to the office of District President and the Second Vice President shall automatically succeed to the office of First Vice President.

Section 7. Should any officer be unable to attend to the duties of her office through absence or illness, the Department President shall be authorized to appoint someone to serve in her place, unless otherwise provided for by Constitution, Bylaws or Standing Rules.

Section 8. With the exception of Secretary and Treasurer, the term of office for all Department Officers shall be for one year. Any officer having served six months or more, whether elected at annual convention, by succession or appointed by the Department Executive Board to fill a vacancy, shall be considered as having served a full term.

Section 9. No officers except the Department Executive Secretary and Treasurer shall receive any compensation for their services but expenses necessary for the performance of official duties shall be paid from Department funds, according to such rules as may be recommended by the Department Finance Committee and approved by the Department Executive Committee.

Section 10. The Department Executive Committee shall have the power to transact any business that would come before a Department Convention if it should become impossible to hold a Department Convention, provided the Executive Committee in planning the nomination and election of Department officers evolve a method permitting the Units a voice and vote in the nomination and election of officers.

Article II

Duties of Officers

Section 1. The Department President shall be the Chief Executive Officer of the Minnesota Department with full power to enforce the provisions of the Constitution and Bylaws and will of the State Convention. She shall preside at all meetings of the Department Convention assembled and Department Executive Committee and perform such other duties as custom and parliamentary usage require.

She shall appoint officers, chairmen and members to the constituted offices and committees and create such other committees as she deems advisable, with the approval of the Department Executive Committee. She shall be ex-officio, a member of all committees, without vote.

She shall have supervision over all officers, committees, chairmen and Department Office staff. Any changes in program or routine must bear her approval. She shall sign all legal documents.

She shall have the authority to designate one of the Department Vice Presidents to represent her at public ceremonies and meetings and in the event of inability of either of the Department Vice Presidents to accept such assignment, she shall appoint another representative.

Section 2. The Executive Secretary shall be in full charge of the work in the Department office. She shall allocate all duties and be responsible that all work is kept up to date. She shall keep all books and files that are necessary for the proper conduct of her office and shall conduct the official correspondence and transact such other business as the Department President and Department Executive Committee may direct.

She shall be responsible to the Department President at all times for the efficient and proper performance of her duties and those of the Department staff.

Section 2 (a). The Department Executive Committee shall consist of the Department President, Department First Vice President, Department Second Vice President, Retiring Department President who serves as a representative on the National Executive Committee, and the District Presidents. All Past Presidents from Minnesota shall be ex-officio members without a vote. The Department Secretary and Department Treasurer shall be ex-officio members without vote.

Section 3. The Department Treasurer shall be custodian of all funds and securities of the Department of Minnesota and shall be charged with their collection. She shall receive all funds, record and give a report at each meeting if called upon by the Department Executive Committee and an annual report at the Department Convention.

She shall pay all bills which have been approved by the Department President and committee chairmen, and countersign all checks.

Section 4. All Department checks must be signed by at least two of the three designated Department officers, namely, the President, Secretary and Treasurer.

Section 5. The Department Vice Presidents shall perform such duties as required of them by the Department President.

Section 6. The National Committeewoman shall attend all the meetings of the National Executive Committee and perform the duties of a member of said committee in conformity with the wishes of the Department and in accordance with the National Constitution and Bylaws of the American Legion Auxiliary. She shall be the official Department hostess for all visiting National officers.

Article III

Department Standing Committees

Section 1. The Department President shall appoint a Department Finance Committee of five members. Of the five members appointed following the

Department Convention of 1972, one shall be appointed for a full five-year term, one for four years, one for three years, one for two years, and one for one year; thereafter each succeeding appointee shall serve for a full five-year term, or until removed by a majority vote of the Department Executive Committee. No two members of the Finance Committee shall be from the same District. The member serving her last year on the committee shall automatically become its chairman. The Department Finance Committee shall direct the general financial policies of the Department organization, shall be charged with the preparation and adoption of the annual budget of the Department, the supervision and disbursement of funds under that budget, and such other duties as shall be prescribed by the Department Executive Committee.

Section 2. The standing committees of Girls State and Veterans Affairs and Rehabilitation shall be composed of three (3) persons, and Gift Shop shall be composed of two (2) persons to be appointed by the Department President, subject to ratification of the Department Executive Committee. Appointment of a member to any of these committees is a one (1) year appointment. Such members may be reappointed. A Department President may appoint any member of these committees as Chairman.

Section 2 (a). “The Department President shall appoint a Department Audit Committee of three members. Of the three members appointed following the Department Convention of 2010, one shall be appointed for a three-year term, one for two-years, and one for one year; thereafter each succeeding appointee shall serve for a full three-year term, or until removed by a majority vote of the Department Executive Committee. No two members of the Audit Committee shall be from the same District. The member serving her last year on the committee shall automatically become its chairman. The Audit committee shall review all financial transactions and policies and procedures for risk management.”

Section 3. The Department President shall appoint a Director and an Educational Director of Girls State, a Chairman of Americanism, of Children and Youth, of Community Service, of Education, of Junior Activities, of Legislation, of Leadership Development, of Membership, of Memorial, of National Security, of Poppy, of Public Relations and Historian; and the Chairman of Past Presidents Parley, each to serve one term. All appointments shall be subject to the ratification of the Department Executive Committee. She shall appoint a Judge Advocate from the membership of The American Legion and a Parliamentarian who shall also serve as Constitution and Bylaws chairman from the membership of the American Legion Auxiliary and such other chairmen as she sees fit, with the approval of the Department Executive Committee. The term of all of the above chairmen and appointive officers shall be one year.

Section 4. Any one member will not be allowed to hold more than one Department appointment during any one administrative year.

Section 5. The term of office of all Department chairmen terminates at the appointment and ratification of their successors.

Section 6. There shall be a five (5) member Advisory Committee consisting of the First Vice President, Second Vice President, Junior Past President and two (2) Past Department Presidents chosen by the Department President with approval of the Executive Committee. The call of Advisory Board meetings shall be at the discretion of the Department President.

Section 7. No member shall serve as chairman of the same committee for more than three years consecutively.

Section 8. Expenses of the Poppy Chairman shall be considered administrative expense and they shall be charged to the Poppy industry.

Section 9. The Department President shall appoint a chairman to represent the Department Auxiliary on the Advisory Committee in every Veterans Administration Hospital. This chairman shall make a quarterly report to the Department Chairman of Veterans Affairs and Rehabilitation regarding the program of the Volunteer Hospital Workers, assignments, hours, meetings of Advisory Committee, etc. No project suggested by the Advisory Committee of the Special Services shall be considered by the chairman until the matter is discussed with the Department Chairman, particularly involving the collection or expenditures of Veterans Affairs and Rehabilitation funds or a change of policy.

Article IV

Discipline

The provision of the National Constitution and Bylaws relating thereto shall govern the discipline of Units and Members of this Department.

Article V

Finance

Section 1. The revenue of this Department shall be derived from annual dues and by such other means as recommended by the Department Finance Committee with Executive Committee approval.

Section 2. The annual National dues as determined by the National Convention each year shall be collected by the Units and paid through the Department headquarters to the National Treasurer whenever the same become due and payable.

Section 3. The annual Department dues shall be nine dollars (\$9.00), effective in 2013 per senior member and two dollars and twenty-five cents (\$2.25) per Junior member payable to the Department Office along with the National dues. Twenty-five cents (\$.25) per member shall go the American Legion Family Hospital Association and fifteen cents (\$.15) per member to the National Veterans Affairs and Rehabilitation and the balance will inure to the general operating fund.

Section 4. No special requests for money by Department Chairmen and Department Committees or for the District Presidents' Projects shall be made from the Units without the approval of the Department Executive Committee.

(a) All other solicitations of funds at a District level shall be approved by the District Executive Committee or at a District meeting.

(b) All other solicitations of funds of Unit members shall be approved by the Unit Executive Committee or at a Unit meeting.

Section 5. Any further donations to the Department for Veterans Affairs and Rehabilitation and Children and Youth work or for any other program shall be at the Unit's discretion.

Section 6. Donations of money for any Department American Legion Auxiliary program shall be sent to the Department Office with a notation as to which program they are to be credited.

Article VI

Amendment

Section 1. These Bylaws may be amended at any Department Convention by a two-thirds vote of the total number of votes to which the accredited delegates present are entitled by provisions as set forth in Article VII, Section 2, of the Department Constitution, providing the proposed amendments shall have been submitted through the Department Secretary to the Department Executive Committee prior to the convention; and provided further that all proposed amendments shall have been read at a regular meeting of the convention.

Section 2. Necessary amendments proposed after distribution as described in Section 1, may be adopted by a two-thirds vote of the delegation, provided they have been read at one meeting of the convention session prior to taking the vote.

Section 3. A proposed amendment not having been previously read or distributed as required in Section 1 shall be referred to the Convention Constitution and Bylaws Committee called together for a special meeting before it comes to the floor for a vote. It may be adopted by the unanimous vote of the convention body.