

**DEPARTMENT CONSTITUTION
AMERICAN LEGION AUXILIARY
DEPARTMENT OF MINNESOTA**

PREAMBLE

We, the Minnesota members of the American Legion Auxiliary, associate ourselves together into a Department to carry out in our state the purposes for which the American Legion Auxiliary was organized as expressed in the Preamble of the Constitution of this organization as follows:

For God and Country we associate ourselves together for the following purposes:

to uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations in all Wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good-will on earth; to safe-guard and transmit to posterity the principles of justice, freedom and democracy; to participate in and to contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our associate by our devotion to mutual helpfulness.

ARTICLE I

NAME

Section 1 The name of this organization shall be the American Legion Auxiliary, Department of Minnesota.

ARTICLE II

OBJECTS OF ORGANIZATION

Section 1 To serve The American Legion in all its activities; to support it in all its interests, and to promote its welfare; to hold in sacred remembrance all who gave their lives in defense of civilization in the Great Wars; to work unceasingly for a strong America and the preservation of peace; to lend its united efforts to the task of impressing the minds of the youth of our land, and through them the generations to come, with the necessity of a staunch and steadfast support of the Constitution of the United States, with a deep abiding love and reverence for our free institutions, and with a patriotic devotion to our flag and all that it represents, so that the noble sacrifice and service to the whole world, by those who now form The American Legion, may not have been rendered in vain.

ARTICLE III

NATURE

- Section 1 The American Legion Auxiliary is a civilian organization.
- Section 2 The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of partisan principles, nor for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE IV

MEMBERS

- Section 1 Membership in the American Legion Auxiliary shall be limited to the:
- (1) Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of members of The American Legion; and
 - (2) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917, to November 11, 1918 and any time after December 7, 1941 who being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge;
 - (3) grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 1917, to November 11, 1918; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility periods and died in the line of duty or after honorable discharge; and
 - (4) to those women who of their own right are eligible for membership in The American Legion.
- Section 2 There shall be two classes of membership, Senior and Junior.
- (a) Senior membership shall be composed of members age eighteen (18) and older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
 - (b) Junior membership shall consist of that group under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.
 - (c) Dues of both classes shall be paid annually or for life.

ARTICLE V

OFFICERS

- Section 1 The officers of this Department shall be President, First Vice President, Second Vice President, Executive Secretary, Treasurer, Chaplain and National Committeewoman (NEC). The following officers shall be appointed by the Department President subject to the approval of the Department Executive Committee and shall hold office at the will of the appointive power: Executive Secretary, Treasurer and Chaplain.
- Section 2 The National Executive Committeeperson and the Alternate National Executive Committeeperson shall be elected to serve a two (2) year term and may only serve three (3) consecutive terms. If the National Executive Committeeperson is unable to serve, the Alternate National Executive Committeeperson will fulfill those duties.
- Section 3 A Department Officer changing their residence to another state automatically vacates their office.

ARTICLE VI

ELECTIONS

- Section 1 The following officers shall be elected annually at the Department Convention by a plurality vote of the delegates present and voting: Department President, Department First Vice President and Department Second Vice President. The following officers shall be elected biannually at the Department Convention held in an even numbered year by a plurality vote of the delegates present and voting: The National Executive Committeeperson and Alternate National Executive Committeeperson.
- The Alternate National Executive Committeeperson elected in 2019 shall hold that office for one year only to accomplish the change to the same cycle election with the National Executive Committeeperson, and that after the close of the 2019 Department Convention the reference to the 2019 election may be removed from the constitution without vote.
- Section 2 (a) The election of Department officers shall be by secret ballot and where there is no opposition, voting shall be by acclamation at the final session. Nomination for Department officers shall be held during the first business session of the Department Convention. Printed ballot forms shall be furnished to the chairman of each delegation or her representative at the designated polling place. Judges and clerks of election shall be appointed by the Department President and shall be in full charge of the voting. Polls may be open for at least two hours each day of the convention with the exception of the last day when the balloting shall be left to the discretion of the Convention Rules Committee.

(b) The candidate receiving a plurality of all votes cast shall be elected. Only in the case of a tie shall another vote be taken.

Section 3 The election of all District Presidents shall be ratified by the Department Convention body inasmuch as they automatically become members of the Department Executive Committee.

Section 4 No elective officer shall succeed themselves after serving one full term.

ARTICLE VII

DEPARTMENT CONVENTION

Section 1 The legislative body of the Department of Minnesota shall be a Department Convention to be held annually.

Section 2 A quorum shall exist at a Department Convention when ten per cent (10%) of the Units are wholly or partially represented by duly elected delegates or alternates.

Section 3 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. Financial disbursements must follow set financial guidelines as set in the Standing Rules.

Section 4 Rules of the Convention shall be *Robert's Rules of Order, Newly Revised*, as modified by the rules of the last preceding convention, shall constitute the temporary rules of the convention until the Rules Committee of the convention shall have reported upon proposed permanent rules of the convention, either submitted to it or recommended by it; provided the convention may adopt its permanent rules upon a majority vote of all the authorized delegates in attendance.

ARTICLE VIII

NATIONAL CONVENTION

Section 1 (a) The delegates to the National Convention shall be the newly elected Department President, the Department President, the Department Second Vice President and the District Presidents for the past official year and a National Chairman, if delegate spots remain; if not the National Chairman and the Department Executive Secretary shall be alternates to the National Convention subject to the ratification of the Department Convention.

- (b) Delegates and Alternates to the National Convention shall be elected at the District Conventions. The number of delegates and alternates allowed will be prorated according to District membership, delegates-at-large to be elected by the convention body at the Department Convention. Each District President for the past official year shall be one of the designated delegates from their District. Such delegates shall be presented for ratification by the Department Convention.
- (c) All Past National Presidents in good standing in their local Units shall be life delegates-at-large to the National Convention, with vote to be exercised with their Departments.
- (d) Members of the National Executive Committee shall be delegates-at-large to the National Convention with vote to be exercised with their Departments.

ARTICLE IX

PARLIAMENTARY AUTHORITY

Section 1 The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern this organization in all cases in which they are applicable and in which they are not inconsistent with the Department Constitution and Standing Rules.

ARTICLE X

AMENDMENTS

Section 1 This Constitution shall be automatically amended to conform to the National Constitution of the American Legion Auxiliary.

Section 2 (a) This Constitution 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 set forth in 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 be read at a regular meeting of the Convention.

(b) Necessary amendments proposed after distribution as described in Section 2 (a), 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 2 shall be referred to the Convention Constitution and Standing Rules 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.