

TENTH DISTRICT
AMERICAN LEGION
DEPARTMENT OF MINNESOTA



Constitution and Bylaws

TENTH DISTRICT AMERICAN LEGION
DEPARTMENT OF MINNESOTA

ARTICLE I

Section 1. The Constitution and Bylaws of the Department of Minnesota shall supersede the Tenth District Constitution and Bylaws.

ARTICLE II

Section 1. The Tenth District shall be composed of that area which is designated by the Department of Minnesota, The American Legion, which consists of the following: Mille Lacs, Pine, Chisago, Kanabec, Isanti, Anoka, and Wright Counties, and all of Hennepin County outside of the present city limits of the cities of Minneapolis and Richfield.

The Counties comprising the Tenth District shall be divided into six subdistricts as follows: Subdistrict One to consist of Pine County; Subdistrict Two to consist of Kanabec, Mille Lacs, and Isanti Counties; Subdistrict Three to consist of Anoka and Chisago Counties; Subdistrict Four to consist of all of Hennepin County outside the present city limit of the cities of Richfield and Minneapolis lying and being north of U. S. Highway 12, and including the cities of Wayzata, Long Lake and Maple Plain; Subdistrict Five to consist of Wright County; Subdistrict Six to consist of all of Hennepin County outside the present city limits of the cities of Richfield and Minneapolis lying and being south of U. S. Highway 12.

Section 2. The District Officers shall comprise the following: District Commander, six Vice Commanders, Finance Officer, Adjutant, Chaplain, Judge Advocate, Sergeant at Arms, Historian, Rehabilitation Officer, Americanism Officer, Children and Youth Officer, National Defense Officer and Membership Director.

Section 3. The District Commander. Six Vice Commanders, Finance Officer, and Historian shall be elected annually by the delegates of the District Convention.

Section 4. The District Commander shall appoint the District Adjutant, the District Chaplain, the District Sergeant at Arms, and the District Membership Director. The Commander shall also appoint such yearly functioning committee chairmen as shall be designated by the Department of Minnesota from time to time.

Section 5. The District Commander shall appoint the District Judge Advocate who shall rule on all orders of business at District Conventions and District Executive Committee meetings.

Section 6. The District Commander shall appoint The Americanism Officer and the Children and Youth Officer for two year terms in odd numbered years.

Section 7. The District Commander shall appoint the Legionville Chairman, the Rehabilitation Officer the National Defense Officer and the Employment Chairman for two- year terms in even numbered years.

Section 8. The District Commander shall fill any vacancies in the appointees in Sections 4, 5, 6 and 7. All appointments of the District Commander must be approved by the District Executive Committee.

ARTICLE III

Section 1. The District Executive Committee shall be composed of the elected officers of the District, (namely the Commander, six Vice Commanders, Finance Officer, and Historian) together with the immediate Past District Commander, the present District Adjutant, Membership Director, Judge Advocate, Sergeant at Arms, and Chaplain.

Section 2. Each of these officers with the exception of the Commander, Judge Advocate, Chaplain, and Sergeant at Arms shall have one vote in all affairs of the District Executive Committee. The Commander shall vote only in the event of a tie. Seven members shall constitute a quorum.

Section 3. The District Commander shall be the chairman of the Executive Committee and shall preside at all meetings of that body. In the event of the absence of the Commander and in the event the Commander shall fail to appoint one of the six Vice Commanders to preside, the Executive Committee shall elect one of the six Vice Commanders to preside.

Section 4. Should the office of Commander, for any reason, become vacant, the District Executive Committee shall elect a commander from the remainder of the Executive Committee to fill the unexpired term. Vacancies in any other elective offices shall be filled by the Executive Committee. A vacancy in the office of the Vice Commander shall be filled from the Subdistrict in which such vacancy occurs.

Section 5. There shall be two annual meetings of the District Executive Committee, one within 15 days following the Department

Convention, and one within 45 days prior to the District Convention. The Commander may designate special meetings whenever Executive Committee action shall be desired on District or Department problems.

Section 6. A mail ballot by members of the Executive Committee will be allowed to speed action on any current problem of the American Legion.

Section 7. The Constitution and Bylaws may only be amended at regular or special District meetings, provided notices of the proposed amendments have been mailed to each Post in the District at least 30 days before such meetings or at a convention, provided the proposed amendment shall have been read to the convention at least 4 hours before a vote thereon.

Section 8. Any chairman committee member or officer may be removed by the Commander, with the approval of the Executive Committee for non- performance of duties or other questionable conduct. The Commander may be removed from office by 2/3 vote of the remainder of the District Executive Committee for the nonperformance of duties or other questionable conduct.

ARTICLE IV

Section 1 There shall be a District Convention once a year to be held not less than 15 days and not more than 60 days prior to the Department Convention. The District Adjutant will send the Convention call to all Posts not less than 30 days prior to the District Convention. In the event that, due to an emergency, it is for any reason impossible to convene the annual District Convention, the District Executive Committee shall be empowered to conduct necessary business of the Convention.

Section 2. All business of the Convention shall be transacted in one day.

Section 3. A quorum shall exist at a District Convention when 20 percent of the Posts are wholly or partially represented by duly elected delegates or alternates. A quorum shall exist at a regular or special District meeting when 20 percent of the Posts are wholly or partially represented by duly elected delegates or alternates.

Section 4. Each delegate to the District Convention shall be required to register in order to vote. Any member alternating for a delegate will also be required to register to cast a ballot.

Section 5. All elected present District Officers and Past Tenth District Commanders shall have the right to speak on the convention floor but no one shall have the right to vote except as a duly elected delegate from their post.

Section 6. Balloting in the District Convention elections where a contest exists shall be by paper ballot cast by each Post registered and desiring to vote. Computer shall tabulate these ballots or elections shall be by a method determined by a majority vote preceding voting. When roll call voting is chosen, it shall begin with the lowest numerically designated Post in even numbered years and shall begin with the highest numerically designated Post in odd numbered years.

Section 7. Each Post in the District will be entitled to two delegates and to one additional delegate for each one hundred members or a major fraction thereof as determined on May 1.

Section 8. Each Post in the District shall forward the names of its delegates to the District Commander at least two weeks before the convention date to enable the Commander to appoint Convention committees.

Section 9. The Tenth District Commander for 1991-92 shall appoint 4 members of the Continuity Advisory Committee with descending terms of office of 4, 3, 2, and 1 years, and subsequent Commanders shall appoint one member to a four year term. The person in the last year of their term shall be the Chairman. The committee shall choose one of its members to serve as Secretary to record significant information to be preserved including all mandates. Those members with 4 and 2 years to serve shall observe Executive Committee meetings. Those members with 3 and 1 years to serve shall observe Finance Committee meetings. The Chairman shall have the responsibility of becoming acquainted with all significant financial facts of District operations. The Committee shall act in an advisory capacity to the host city in the staging of the District Convention and Convention parade, and such other duties as are prescribed by the District Executive Committee and shall report their activities to the Executive Committee following the Department Convention. Any vacancies occurring shall be filled by the District Commander appointing a member to fill the unexpired term. All appointments to the committee shall be approved by the District Executive Committee. No more than two members shall be from the same Subdistrict.

Section 10. The Time and Place Committee shall consist of, starting with the 1984 Tenth District Convention, the five most recent surviving Past District Commanders, with the Junior Past District Commander as Chairman, provided that they are Delegates to the Convention. If the Junior Past Commander is not present the Committee will elect a Chairman. If any of the five Past Tenth District

Commanders are not present or are not delegates to the Convention, the Tenth District Commander will appoint to the Committee any Past Tenth District Commander that is a delegate to the Convention to fill any vacancy. If there are no Past Tenth District Commanders that can serve on the Committee, The Tenth District Commander shall appoint any Tenth District Vice Commander that is a delegate to the Convention to fill remaining vacancies.

ARTICLE V

Section 1. In the event of vacancy in the representation of the Past Commander of the Tenth District on the Department Executive Committee, the District Executive Committee will meet and elect a substitute to fill the office of the Immediate Past District Commander on the Department Executive Committee.

ARTICLE VI

Section 1. The District shall have a Finance Committee composed of six appointed members, no two members to be appointed from the same Subdistrict.. All appointments to be made by the District Commander subject to ratification by the District Executive Committee. Any vacancy on the Committee shall be filled from the Subdistrict represented by the vacated position. The District Commander and the Finance Officer shall be ex officio members of the said Committee. The member in the second year of the six- year term shall be the secretary, and the member serving his last year on the Committee shall automatically become its chairman unless the committee decides otherwise. The District Finance Committee shall be charged with the preparation and adoption of the annual budget of the District, the handling and disbursement of funds under the budget, and such other duties as shall be prescribed by the District Executive Committee.

Section 2. The total annual budget of the District shall not exceed 50% of the District's net worth reported to the previous year's convention.

Section 3. The revenue of The American Legion, Department of Minnesota, Tenth District, shall be derived from annual membership dues and from such other sources as may be approved by the Executive Committee.

Section 4. The amount of such annual dues shall be determined by the District Convention and remain in effect until changed by subsequent action of the Convention. The annual dues shall be collected by each Post and the portion designated as District, Department, and National dues shall be immediately transmitted to Department Headquarters. No Post shall be qualified for representation at any District and/or Department Convention until all of said dues have been fully paid.

ARTICLE VII

Section 1. Delegates to the National Convention shall be: 1. Outgoing Commander. 2. Newly elected Commander. Any National Committee Chairs. In even number years even numbered Sub-Districts select a delegate. In odd numbered years, odd numbered Sub Districts select a delegate. Remaining delegates to which the District is entitled are elected by the Convention body. Unsuccessful candidates for Delegate to the National Convention shall be alternates in order by the number of votes each received. The person receiving the highest number is alternate number 1, etc, until four have been designated. Other alternates as needed are selected by Delegation chair.

Section 2. The Delegation Chairman shall have the authority to fill vacancies occurring at the National Convention among the delegates or alternates.

Section 3. The delegates attending the National Convention from the Tenth District shall divide equally the convention expense paid by the Tenth District plus the contribution made by the Department of Minnesota. The sum paid by the District shall be included in the annual budget and shall be disbursed by the Finance Committee. Any delegate receiving a National call-in may accept the amount associated with the call-in and not participate in the division, or participate in the division and divide the call-in amount less three day's per diem equally among the delegates.

MANDATES

1988. The Commander and Adjutant shall be in charge of sending out a packet of reports to all Post Adjutants by April 1 of each year. The packet will have a copy of each committee chairman's report and a District delegate list for the upcoming District Commander.

1990. The District deceased member list shall be considered a "Memorial" list and inclusive reporting dates shall include members passing away between May 1 and April 30. The "Memorial" list shall be coordinated with the Tenth District Auxiliary and the Sons of The American Legion. This change shall become effective with the 1990/91 Legion year. Members names omitted this year shall be included in the 1991 Memorial Service.

1993. That the dues of the Tenth District, The American Legion Department of Minnesota, be raised twenty-five cents per member to a total of \$1.25 per person to be effective for the 1995 membership

year.

1999. That the dues be \$2.00 effective 2001 membership year.

2017. That the dues be \$3.00 effective 2018 membership year.