



BY-LAWS OF THE AMERICAN LEGION

DEPARTMENT OF MINNESOTA

FIRST DISTRICT

- 1) **The District Commander**
- a. He / She shall be the Executive head of the First District with the following duties.
 - b. He / She shall have full power to enforce the provisions of the National Constitution and By-Laws, the Department Constitution and By-laws, District One Constitution and By-Laws and the will of the District Convention.
 - c. He / She shall preside over all meetings of the District in Convention and meetings of the Executive Committee of which He / She shall be a member.
 - d. He / She shall appoint, with the approval of the District Executive Committee, the following officers: an adjutant, a sergeant at arms, a judge advocate, an historian, and a membership director. The District One By - Laws set forth the duties of these appointed officers and their terms of office.
 - e. The Constitution of The American Legion, Department of Minnesota states that District Commander and the Immediate Past District Commander shall serve as members of the Department Executive Committee. In event that the Immediate Past Commander or Commander is not able to serve in said position, The member seated in that position shall be a Past First District Commander.
 - f. He / She shall be responsible for the content of the newsletter, (proofread) and the timely publication of the newsletter.
 - g. He / She shall issue the convention call at least 30 days prior to the convention.
 - h. He / She shall appoint a chairperson for each district standing committee. Said commander shall ensure that each committee created shall have a resolution creating it that specifies its responsibilities and duties. All appointments must be confirmed by the district executive committee. All committee members and chairs shall be authorized reimbursement for expenses as set forth in the budget, provided required reports and claims for reimbursement have been properly filed when requested.
 - i. He / She has the duty and obligation to visit the posts and American Legion organizations in the First District to provide guidance and leadership regarding the programs of the American Legion

2) **The District Vice-Commanders** have the following duties:

- a. Shall act as representatives of the District Commander on all matters referred to them by him / her.
- b. Shall at his / her request preside over conventions or meetings of the Executive Committee.
- c. Perform such other duties as are usually incident to the office.

3) **The District Adjutant** has the following duties.

- a. He /She is charged with the administration of the District Headquarters subject to the direction of the Commander and the District Executive Committee.
- b. He / She shall keep a correct and accurate record of District Commander, the District Executive Committee and the district convention.
- d. He / She shall be an ex-officio member of the District Executive Committee and will serve without a vote as its recording secretary. He /She shall at regular convention and meetings of the Executive Committee read the minutes of the preceding meeting.
- e. He / She shall prepare written notice of meetings, convention calls and other important meetings set by the District Executive Committee as required and forward said material to those entitled to receive such. When the District Executive Committee determines that electronic notice may be used in lieu of written notice, the Adjutant will give notice electronically. Notice of District Executive Committee meetings shall be given ten (10) days ahead of said meeting. If regular or "snail" is used, add three (3) days to the notice.
- f. He / She shall keep a record of the membership of the district posts. He /She will make a permanent file of all records and ensure all records are stored with past District records. Every five (5) years, a copy of the last five years of district records will be made by the Adjutant and then provided to the District Historian.
- g. He / She shall submit to the duly appointed Adjutant succeeding Him / Her a final report detailing each active post in the district, that posts membership numbers. each post commander and adjutant and their contact information, and the bank account or accounts held by the district setting forth the balance, the account number and the institution where the account is held. In addition, a copy of this report shall be provided to the district commander and to the finance officer.
- h. Shall perform such other duties by the Commander or Executive Committee may direct.

4) **The Finance Officer** has the following duties:

- a. Shall have custody of all the funds of the district.
- b. Shall deposit the same in its name in such bank or banks as the Executive Committee shall designate.
- c. He / She shall disburse the funds under the direction of the Commander and the Executive Committee.

- d. He / She shall give bond to the district in such form as the Executive Committee shall direct.
- e. He / She shall insure that the Incoming Commander of the District knows the Financial policy of the district.

5) The District Chaplain has the following duties:

- a. The spiritual welfare of the members in the First District and will offer divine but non -sectarian services at any first district function where such service is required.
- b. He /She will adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.
- c. He / She will have charge of the annual memorial service of the district held during the District Convention.
- d. He/ She shall attend District meetings, rallies, and Executive Board meetings.

6) The District Historian has the following duties:

- a. He / She shall keep the older records of the district. An older record is one that includes minutes, documents, photographs, newspaper clippings or anything else of historic record that is five (5) years old or older.
- b. He / She shall find a means such as a fireproof file cabinet to safeguard the records described. Keeping a digitized or electronic record of such older records may be done with the approval of the District Executive Committee.
- c. He / She shall gather records that are more than five (5) years old from the District Adjutant from time to time but at least every five (5) years.

7) The District Sergeant-at-Arms has the following duties:

- a. He / She shall preserve order at all meetings.
- b. He / She shall perform such other duties as may be from time to time assigned to him / her by the District Commander or the Executive Committee.

8) The District Judge Advocate has the following duties:

- a. He or She advises the district commander and the district executive committee on the requirements and language of the National Constitution and By-Laws.
- b. He / She advises the district commander and district executive committee on the requirements and language of the Department Constitution and By- Laws.
- d. He / She acts as parliamentarian for the district convention. This may be delegated with the consent of the district commander.

9) Eligibility

- a. Every elected and appointed District Officer shall provide an honorable discharge or proof of separation, in the form of separation papers from the military forces of the United States, stating they were on duty during the eligibility dates of the American

Legion which include; An individual is eligible for membership in The American Legion only if the individual – (1)(A) has served in the Armed Forces of the United States at any time during -the period of April 6, 1917, through November 11, 1918; or any time after December 7, 1941; or a government associated with the United States Government during a period of time referred to in subsection (A) of this section and was a citizen of the United States when the individual entered that service; and (2) was honorably discharged or separated from that service or continues to serve honorably during or after that period of time; provided, however, that such service shall have been terminated by honorable discharge or honorable separation, or continued honorably during or after any of said periods; provided, further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject themselves to military discipline or unqualified service.

10) Committees

- a. The District Executive Committee or the District Convention may create such committees as deem necessary to accomplish district objectives.
- b. Any committee created by either the convention or the District Executive Committee must be done by resolution establishing the authority and limits of the committee. Committees are always subject to the direction and control of the district executive committee.
- c. Committee members must be American Legion members or members of the American Legion Family. The committee can appoint such advisors and consultants as it sees fit.
- d. **A Quorum** - A majority of committee members with voting rights currently holding office is a quorum for the transaction of business. In the absence of a quorum, a majority of committee members may adjourn a meeting from time to time until a quorum is present. If a quorum is present when a duly called or held meeting is convened, the committee members present may continue to transact business until adjournment, even though the withdrawal of committee members originally present leaves less than the proportion or number otherwise required for quorum.
- e. Minutes must be taken for each and every committee meeting. Those minutes must include those in attendance and the date and place of the meeting. The minutes must include the subjects addressed by the committee and what if any action was taken regarding each subject.
- f. Minutes of said committee meetings must be made available upon request to members of the committee and to any District One American Legion member or the District Adjutant or the District Judge Advocate for any proper business reason. The District Executive Committee can authorize the release of any district committee meeting to any person as it sees fit.

- g. **Subcommittees** – Unless otherwise provided in the resolution of the district executive committee or convention resolution establishing the committee, a committee may create one or more subcommittees and may delegate to a subcommittee any or all of the authority of the committee. All the rules stated above regarding committees also apply to subcommittees.

11) Remote Communication

- a. Any district executive committee meeting may be conducted solely by one or more means of remote communication through which all of the committee members may participate in the meeting. Said meeting may conduct business if the number of committee members participating in the meeting is sufficient to constitute a quorum at a meeting. Participation in a meeting by that means constitutes presence at the meeting.
- b. A committee member may participate in a district executive committee meeting by means of conference telephone or, if authorized by the district executive committee, by such other means of remote communication such as zoom for example, in each case through which that committee member, other committee members so participating, and all committee members physically present at the meeting may participate with each other during the meeting. Participation in a meeting by that means constitutes presence at the meeting.
- c. Remote communication may be used when the district commander and the district adjutant determine that an emergency exists which would make travel to the regular District Executive Committee meeting site unhealthy or would create an unnecessary safety risk. Both the commander and adjutant must agree. This applies to all committee and sub-committee meetings. The chair and the secretary of each group have the authority to conduct a meeting by remote communication, but both must agree.

AMENDMENTS

- 1) Amendments to these By-Laws may be made at any convention by the vote of the majority of the delegates present, providing there is a quorum.

(NOTE) This Constitution and By-Laws are not official until they are adopted at a convention of the First District, and unless a certificate signed by the Commander and Adjutant, certifying that said Constitution and By-Laws have been duly adopted, is attached.

REGULATIONS GUIDELINES FOR FIRST DISTRICT FUNCTIONS
COMMANDERS AND ADJUTANTS SCHOOL

Bids to be asked for and site named by the District Commander. District to pay all attending Commanders and Adjutants meals plus the officers putting on the school. Other Legion and Auxiliary members purchase their own meal. Registration and meal price to be set by the District Legion Executive Committee.

FALL RALLY

Shall be at the home of the First District Commander. Noon luncheon price not to exceed \$10.00. Registration (\$10) and meal cost (\$10) is set by the District Legion Executive Committee.

MID-WINTER

Shall be at the home of the District President. Time and Place to be known at Fall Rally. Registration (\$10) and meal price (\$10) to be set by the Legion Executive Committee.

DISTRICT PICNIC

The Commanders membership team shall choose the site and notify all members by the District Newsletter. The cost of the picnic shall be according to the District Budget.

CONVENTION RULES

1) Rules committee submits the following proposed rules for the convention.

With the following modification, Robert's Rules of Order revised, be adopted for this convention.

- a. That the speech of any Delegate, recognized by the Commander, shall be limited to three (3) minutes and no more.
- b. Where a motion is made to table a resolution, the sponsor shall be entitled to speak to the Convention for three (3) minutes. Rebuttal be granted to the maker of the resolution to table before the motion input.
- c. That the floor be permitted but once to an accredited member duly registered on any subject, except with unanimous consent from the convention
That on Roll Call, the Chairman or Acting Chairman of each Delegation on the floor shall announce the vote of his / her delegation.
- d. That no delegate be permitted on the Convention Floor unless he / she is certified by his / her Post as a Delegate or Alternate and that every Delegate or Alternate, to be duly credited, must be registered and show a current membership card.
- e. No person or Delegate shall act by proxy for any Post. No Post shall vote unless at least one registered and Accredited Delegate or Alternate be present on the Convention Floor.
- f. Voting shall be by acclamation, except when a Roll Call is determined by the Chairman or Acting Chairman of at least three (3) Delegations and except in the election of District Officers, which shall be by roll call.
- g. Nominating speeches for District Officers shall be limited to three (3) minutes. No more than one seconding speech shall be made for each candidate; this is not to exceed two (2) minutes.
- h. In the event more than two (2) candidates are nominated for any office, the balloting shall continue until

on one candidate shall have received the majority of votes cast.

- i No personalities or partisan politics shall be discussed or indulged in on the convention floor, and the First District Commander shall prohibit such indulgences.

I MOVE THE RULES HERE STATED BE ADOPTED FOR THIS CONVENTION

FIRST DISTRICT CONVENTION GUIDELINES

The District Convention of the American Legion is a District Activity. The Convention City is the host to The American Legion and through the representative local organization of The American Legion, there shall be constituted a local Convention Committee which should represent all elements of the community. The membership of this committee shall cooperate with the organization of businesses, which represents the city in matters pertaining to conventions. The organization of the local Convention Committee as outlined herein are based on what experience has shown are minimum needs. The requirements and suggestions are made as a general guide and are not with a view to governing every detail, since local conditions may necessitate slight changes, but in so far as minimum requirements are concerned, this outline should be followed without exception. The District Commander shall have the authority to issue such interpretations and amplifications as may be necessary to carry out the spirit and purpose of these regulations. The District Adjutant shall act as liaison Officer of the District with the Convention Committee.

The District Commander and the officials of the local committee shall take such steps as may be necessary to ensure proper conduct on the part of members of the American Legion attending the District Convention and shall assist the local authorities in maintaining law and order in every respect.

Liability of District Candidates Open House

For insurance purposes, it is recommended that all open houses be held in the host city post. Anyone that desires or wishes to hold an open house in their motel / hotel room in the motel / hotel allows, at their, the person holding the open house, own responsibility.

SECTION A EXPENSES

No expenses of any kind whatsoever will be honored by the First District Committee unless these expenses are incurred by a properly authorized person for /convention activities within the scope of his / her authority. No committees appointed by the Chairman has any authority whatsoever unless first authorized in writing to bind the district on any contracts or obligations of any kind. Convention minutes shall be provided for the Commander, Adjutant, Historian, and host Post.

SECTION B
ORGANIZATION AND REQUIREMENTS

Convention Management - The Convention City through the general chairman appointed by it shall have entire charge of all elements in the Convention City. The Convention Chairman shall appoint an Assistant Chairman and Assistant Chairwomen to aid him / her in the staging of the Convention, and in addition thereto, shall set up the following committees, among others.

1. Concessions
2. Convention Hall and Meeting places
3. Decorations
4. Distinguished Guests
5. Entertainment
6. Housing, Registration, Information and Badges

Sub Committees

- a) General Housing
 - b) Musical Housing
 - c) Registration
 - d) Information
 - e) Badges
 - f) Posters and signs
7. Insurance and Bonds
 8. Music

Sub Committees

- a) Memorial and Funeral
 - b) Music Contests
9. Parade
 10. Programs
 11. Provost Service – Police Service
 12. Publicity
 13. Transportation
 14. American Legion Auxiliary

Sub Committees

- a) Gold Star Mothers
 - b) Pages
 - c) Such other Committees as the Auxiliary shall decide upon
15. American Legion Sons of the American Legion

Sub Committees as decided.

16. American Legion Riders

Sub Committees as decided.

The District Commander shall have charge of the program and order of all business for the Convention and may extend the privilege of addressing the sessions of the Convention to such persons he / she desires.

Hotels and Housing

The Host Post shall block rooms at a designated hotel and Delegates should make their own reservations directly with the hotel.

The Host Post shall provide one night housing for the District Commander and the District President if needed. It is also required that the Host City must have adequate housing facilities of 20 rooms within 20 miles and have transportation available.

Halls and Seating

Since adequate and convenient arrangement for meeting halls and committee rooms will have a definite effect on the successful conduct of the Convention business, it is very necessary that the Chairman of the Convention Hall Committee have a definite understanding with the Committee handling the decorations, music, information service, provost, ect. The following halls and rooms are the minimum necessary for the conduct of Convention business:

1. LEGION CONVENTION HALL AND COMMITTEE ROOMS

At least 70 seats shall be available for delegates and alternates directly in front of the stage, and extending across the hall, which must be kept reserved for delegates and alternates only, at all sessions Post delegations will be seated under the same plans as the parade order established, except that Host Post retain position as indicated by membership. The remaining seats on the floor and in the galleries are for general attendance, including Legionnaires, members of the Auxiliary, The Sons of The American Legion, The American Legion Riders, and their friends.

Accommodations for the representatives of the Press should be provided immediately in front of the stage. The District SGT at Arms will always keep order in the auditorium and will be furnished with as many Assistant SGT at Arms as may be necessary.

2. AUXILIARY CONVENTION HALL AND COMMITTEE ROOMS

At least 70 seats shall be available for delegates and alternates, details of which will be supplied by the District Auxiliary Secretary to the Host Post Convention Committee at least ten (10) day prior to the Convention.

3. SONS OF THE AMERICAN LEGION CONVENTION HALL AND COMMITTEE ROOMS.

At least 25 seats be available for delegates and alternates on the First Saturday morning in May, details which will be supplied by the District SAL Adjutant to the Host Post Convention Committee at least ten (10) days prior to their convention.

4. THE AMERICAN LEGION RIDERS CONVENTION HALL AND COMMITTEE ROOMS

At least 25 seats shall be available for delegates and alternates on the first Saturday afternoon in May, details of which be supplied by the District ALR Secretary to the Host Post Convention Committee at least ten (10) days prior to the convention.

SECTION C Memorial Service

When possible, it may be advisable to hold the Convention Memorial Service out of doors, but in case of inclement weather, this service must be held indoors in the largest hall available. Since it is desired to attract to the Service many of the public, it is important that proper facilities be available for this occasion. **Fifteen minutes (15) prior to the Memorial Service, the American Legion Bar shall be closed and remain closed during the Memorial Service.**

SECTION D

Reception and Distinguished Guests

The District Adjutant is responsible for making arrangements for Distinguished Guests.

SECTION E

Parade Outline and Regulations

The general Convention activities reach a climax in the parade, which is the most interesting and most colorful feature of the Convention. The District Commander, through his / her Liaison Officer, is directed to issue such regulations, in addition to the limitations prescribed herein, as may be necessary to assure that this parade shall always be of such nature as to be truly in keeping with the aims and dignity of the American Legion. **Holding a parade is the option of the Host Post.**

The parade will be limited to members of The American Legion, The American Legion Auxiliary and Sons of the American Legion, uniformed bodies of these organizations or sponsored by them, and only floats or displays of a patriotic or civic significance shall be allowed in the parade. Decisions on questionable floats shall rest with the District Liaison Officer and the Chairman of the Parade Committee. Commercial Floats shall be judged in a separate class from Legion Floats. The Units of the parade shall proceed in the following order:

1. Police Escort
2. District Colors with Escort
3. Outgoing District Commander and District Officers (in cars, if desired)
4. Incoming District Commander and District Officers (in cars, if desired)
5. Outgoing District Auxiliary President and District Officers (in cars, if desired)
6. Incoming District Auxiliary President and District Officers (in cars, if desired)
7. Past or National Officers (in cars, if desired)
8. Past District Commanders (in cars, if desired)
9. Grand Marshall and Distinguished Guests (in cars, if desired)
10. *District Posts and Auxiliary Units by membership ranking with Colors and Escort
11. District Sons of The American Legion Commander and Squadrons with Colors and Escort
12. Military Units and Other Floats and participants.

Bands may be spaced between the units as may be available. All bands must have the American Flag as part of their marching unit to be judged.

*Post delegations shall march in the order of their membership standing as of thirty days prior to the opening of the District Convention.

The maximum length of the parade route from the initial point to the point of dismissal will not exceed two miles. The point will be designated a certain distance from the Reviewing Stand where the Bands and Drum and Bugle Corps will start to play, and they will continue to play until shortly after the reviewing stand. A point will be

provided prior to this latter point where all Bands and Drum Corps will cease to play in order not to interfere with the display before the reviewing stand.

Places will be provided in the Reviewing Stand for District and Department Officers of The American Legion, American Legion Auxiliary, Sons of The American Legion and Public Officials.

The distance between units will not be less than 30 nor more than 50 paces. Each Post Delegation will march in platoons, arranged in an orderly manner.

The Host Post shall march in last position irrespective of their membership ranking.

SECTION F

Publicity and Printing

Pre-Convention publicity shall emanate from the Convention City under the direction of the Publicity Committee of the Convention Committee.

SECTION G

Registration

Registration of all, but no charge to Department Officers, National Officers or visiting District Officers.

Distinguished Guest Chairman shall provide the registration table with an updated list. Registration (\$15) shall be conducted at a convenient location and shall be set by the district executive committee. There will be an added fee (\$5) for registering at the door verses pre-registering. This shall include Convention Badge, Booklet of full admission to all entertainments and a complete packet of information of convention activities. **If you are a dual, triple, or quadruple member you only need one (1) registration.**

SECTION H

Transportation

The Transportation Committee should make all possible arrangements with the various transportation mediums serving the Convention City to assure Convention visitors the lowest possible transportation costs. The information should be released through the committee in charge of publicity.

These should be available from the day prior to the opening of the Convention and throughout the Convention period.

SECTION I

Badges and Trophies

Badges for the registration officials, and distinguished quest, and ribbon badges for Convention Committee members and Convention Executive Committee officials shall be provided at the expense of the Convention City. The design for all such badges shall be approved by the District Liaison Officer.

Trophies which are furnished by the Convention City shall be awarded through the Contest Awards Committee.

Proposed categories for judging and award at District Convention Parade:

Special Units (floats, non-marching units, ect.)

First Place

Second Place

Legion Color guards (made up of Legion Members of a Post)

First Place

Second Place

Invited Color Guards (Reserve, Guard, Active units)

First Place

Second Place

Auxiliary Marching Units

First Place

Second Place

SAL Units

First Place

Second Place

ALR Units

First Place

Second Place

High School Bands

First Place

Second Place

Third Place (if more than 8 bands)

SECTION J

District Noon Luncheon

The host post shall provide a noon lunch, (\$10) dollars and is set by the District Executive Committee and the District Commander shall act as the Master of Ceremonies.

The host post has the option of hosting an installation evening banquet.

AMENDMENTS

These By-Laws were amended by the district membership in meeting at the First District Convention convened at Kasson American Legion Post 333, located at 212 West Main St, Kasson, MN on May 20, 2023.

