

DEPARTMENT OF WASHINGTON



DEPARTMENT BYLAWS

CHANGES TO BYLAWS

Approved July 16, 2005, Bellingham

Amended July 15, 2006, Yakima

Resolution 0006 – Move to 3rd District from Area I to Area II

Amended July 20, 2007, Yakima

Resolution 0001 – Reinstate Fall Conferences - Department

Approved July 17, 2009, Spokane

Resolution 0001 - Emergency Medical Technician of the Year Award

Resolution 0007 - Revision of Department Bylaws under Section XIV concerning the Publication Commission

Approved July 10, 2010, Grand Mound

Resolution 0003 - Civil Defense to Cyber Security

Approved July 16, 2011, Spokane Valley

Resolution 0001 - Bylaws Change to Article VIII, Section 8 - Credit Card

Resolution 0005 - Department of Washington Bylaws, Article XIX, Section 1

Approved July 21, 2012, Wenatchee

Changing District Boundaries -Dept. Bylaws Change to Article III - Organization - Dept. Resolution 003

Approved July 20, 2013, Yakima

Resolution 2: Secret Ballot – Article V, Section 2

Resolution 7: Addressing Legionnaire per Capita – Article XIII, Section J (2) A and 3. (Publication)

Resolution 8: Establishing a Spirit of Service Award Committee – Article XIII, Section I

Resolution 9: Removal Due to Moral Turpitude - Article VII, Section 2A

Approved July 19, 2014, Vancouver

Resolution No. 02: Realign the Department National Security/Homeland Security Commission

Approved July 18, 2015, Spokane

Resolution No. 3: Amend Department Bylaws Article XIII – Department Commissions and Committees

Resolution No. 4: Amend Department Bylaws Article XVI – District Officer and Operation, Section 5: Nomination and Election of District Officers

Approved July 25, 2016, Centralia

Department Resolution No. 008: Veteran's Employment and Education Commission

Department Resolution No. 003: Amend Department Bylaws to Eliminate Bowling Committee

Revised by the Department Convention 22 July 2017.

Department Resolution No. 009 Amend Department Bylaws Article III -- change boundaries between District 4 and District 3

TABLE OF CONTENTS

Preamble to the Constitution		3
Article I	Name and Authority	3
Article II	Nature	3
Article III	Organization	3
Article IV	Membership	5
Article V	Department Officers	6
Article VI	Vacancy in Office	7
Article VII	Resignation or Removal from Office	8
Article VIII	Duties of Department Officers	9
Article IX	Department Executive Committee	11
Article X	Department Color Squad	12
Article XI	Department Convention	13
Article XII	Department Operating Procedure	14
Article XIII	Department Commission and Committee	14
Article XIV	Department Standing Committee	20
Article XV	Department Special Committees	21
Article XVI	District Officers and Operation	22
Article XVII	Post Organization	24
Article XVIII	Post Operation	24
Article XIX	Revocation, Cancellation, or Suspension of Post Charters	25
Article XX	Auxiliary and Subsidiary Organizations	25
Article XXI	S.A.L. Organization	25
Article XXII	Dues and Fees	26
Article XXIII	Resolutions	27
Article XXIV	Parliamentary Authority	27
Article XXV	Amendments	28

THE AMERICAN LEGION DEPARTMENT OF WASHINGTON

BYLAWS

PREAMBLE

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 the Great 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 goodwill on earth;
- To safeguard and transmit to posterity the principles of justice, freedom, and democracy;
- To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

ARTICLE I

NAME AND AUTHORITY

Section 1: The name of this organization shall be The American Legion, Department of Washington (hereinafter called Department), having received its Charter from the National Organization of The American Legion and being incorporated under and subject to the laws of the State of Washington.

ARTICLE II

NATURE

Section 1: Civilian Organization. The American Legion is a civilian organization; membership therein does not affect nor increase liability for military or police service. Rank does not exist in The American Legion, and no member shall be addressed by a military or naval title in any convention or meeting of The American Legion.

Section 2: Non-Political. The American Legion shall be non-political and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III

ORGANIZATION

Section 1: Department Organization. This Department shall be organized into Posts, which shall be grouped into twelve Districts and four Areas.

Section 2: District Delineation.

- A. The First District shall include Vashon Island and that portion of King County within the corporate limits of the City of Seattle, using 110th Street as the North boundary.
- B. The Second District shall include the Counties of Island, San Juan, Skagit, Snohomish, Whatcom and that portion of King County constituting the Skykomish Valley, and not including the portion from State Hwy 527 to State Hwy 522 south of State Hwy 524 within Snohomish County.
- C. The Third District shall include the Counties of Clallam, Jefferson, Kitsap and that portion of Pierce County located on the Kitsap Peninsula, and that area of Mason County known as North Mason that can be described as that section identified by United States Postal Zip Codes 98588 (Tahuya), 98528 (Belfair) and 98524 (Allyn).
- D. The Fourth District shall include the Counties of Mason, Thurston and that portion of Pierce County not located on the Kitsap Peninsula, except that area known North Mason that can be described as that section identified by United States Postal Zip Codes 98588 (Tahuya), 98528 (Belfair) and 98524 (Allyn).
- E. The Fifth District shall include the Counties of Clark, Cowlitz, Skamania, Wahkiakum, and that portion of Klickitat County lying west of 121 degrees West Longitude.
- F. The Sixth District shall include the Counties of Kittitas, Yakima and that portion of Klickitat County lying east of 121 degrees West Longitude.
- G. The Seventh District shall include the Counties of Asotin, Garfield and Whitman.
- H. The Eighth District shall include the Counties of Lincoln, Pend Oreille, Spokane, Stevens and the northerly portion of Adams County extending from line three miles south of Highway I-90.
- I. The Ninth District shall include the Counties of Chelan, Douglas, Ferry, Grant and Okanogan.
- J. The Tenth District shall include the Counties of Grays Harbor, Lewis and Pacific.
- K. The Eleventh District shall include that portion of Seattle lying north of 110th Street and that portion of King County lying outside the incorporated limits of the City of Seattle, except Vashon Island and the Skykomish Valley and including the portion from State Hwy 527 to State Hwy 522 south of State Hwy 524 within Snohomish County.
- L. The Twelfth District shall include the Counties of Columbia, Benton, Franklin, Walla Walla and the southerly portion of Adams County extending from a line three miles south of Highway I-90.
- M. The Second, Third, Eighth, and Ninth Districts shall be authorized to accept American Legion Posts located in those portions of Canada, which are adjacent to the Washington State Counties, which are part of each such District.

[NOTE: The First, Second and Eleventh Districts share King County; The Third and Fourth Districts share Pierce and Mason Counties; The Fifth and Sixth Districts share Klickitat County and The Eighth and Twelfth Districts share Adams County. All other counties are completely within a single District.]

Section 3: Area Delineation.

- A. Area I shall include the First, Second and Eleventh Districts.
- B. Area II shall include the Third, Fourth, Fifth and Tenth Districts.

- C. Area III shall include the Eighth and Ninth Districts.
- D. Area IV shall include the Sixth, Seventh and Twelfth Districts.

Section 4: Legislative Body. The legislative body shall be of the Department Convention. The Department Executive Committee shall be empowered to act whenever the Department Convention is not in session.

ARTICLE IV

MEMBERSHIP

Section 1: Membership Eligibility. Any person shall be eligible for membership in The American Legion who meets the eligibility requirements for membership as established in the National Constitution of the American Legion.

Section 2: Form or Class of Membership. There shall be no form or class of membership except an active membership; and dues shall be paid either annually or for life.

Section 3: Post Membership. No person may be a member of more than one Post at any one time.

Section 4: Post Judge of Its Own Membership. Each Post shall be the judge of its own membership, except that no person who is a member of an organization which has for its aim the overthrow of the United States Government by force or violence, or who subscribes to the principles of any group opposed to our form of government, shall be eligible to become or to remain a member.

- A. Each applicant for membership in a Post shall present a completed official membership application or transfer form, together with the current dues, for a vote by the Post membership.
- B. No person who has been charged by a Post with violations, which could lead to expulsion or suspension, shall be permitted to transfer to another Post within the Department until those charges have been settled.
 - (1) When charges have been served, the Post shall file a copy of those charges with the Department Adjutant.
 - (2) When those charges have been settled, a copy of the resolution of such charges shall be filed with the Department Adjutant.
 - (3) While such charges are pending, the Department Adjutant shall ensure that a transfer of the person charged is not permitted, notifying in writing both the person charged and the admitting Post that the transfer is denied until the charges have been resolved.
 - (4) When the Department Adjutant receives a copy of the resolution of the charges, the admitting Post shall be so notified, with their options explained.
 - (5) If the charges result in expulsion and when, if appeal is made, the Department Executive Committee has upheld the expulsion, or the time for appeal has expired, the Department Adjutant shall so notify the National Adjutant.
- C. No person who has been expelled by a Post shall be admitted to membership in another Post without the consent of the expelling Post, except:

- (1) Where such consent has been asked for and denied by the expelling Post, an appeal may be made to the Department Executive Committee of the Department of the expelling Post for permission to be admitted to membership in another Post; and
- (2) Such person shall be ineligible for membership until such permission is granted

Section 5: Suspension or Expulsion. A member may be expelled or suspended from the Post and, thus, from The American Legion, only after a fair trial, with the right to appeal, for disloyalty, neglect of duty, dishonesty, or conduct unbecoming a member of the Legion. The method of preferring charges, conducting the trial, and providing the right to appeal shall be specified in the Post Bylaws.

ARTICLE V

DEPARTMENT OFFICERS

Section 1: Elected Department Officers. The elected officers of this Department shall be; Commander; a Vice Commander for each Area; Sergeant at Arms; Chaplain; Historian; National Executive Committeeman, and Alternate National Executive Committeeman.

Section 2: Election of Department Officers.

- A. The officers shall be elected by secret ballot; except in the event when only one nominee is put up, a viva-voce election or declaration that the nominees are elected, thus effecting the election by unanimous consent or "Acclamation"; to serve for the term of their election, which is from the close of the approaching National Convention to the close of the following National convention, and thereafter until their successors are chosen.
 - (1) A majority of the votes cast at the Department Convention is required to elect.
 - (2) The Commander, Sgt at Arms, Chaplain, and Historian shall be elected for a one-year term.
 - (3) The Vice-Commanders shall be elected for a one-year term by the delegates from the Area to which they will be elected to serve.
 - (4) At the first Department Executive Committee Meeting, the Department Executive Committee shall elect a Senior Vice-Commander from among the Department Vice-Commanders; this title is for internal use only, not a department position.
 - (5) Election of National Executive Committeeman, and Alternate National Executive Committeeman and the candidate for National Vice -Commander.
 - (a). The National Executive Committeeman and Alternate National Executive Committeeman shall be elected on odd numbered years for a two-year term by the delegates.
 - (b) When requested by The American Legion Western States Caucus to select a candidate for National Vice-Commander, such candidate shall be elected by the convention.
 - (c) The nomination and election process shall be the same as for Department Officers.
- B. Nomination of officers shall be by:
 - (1) A nominating resolution from the Legionnaire's Post submitted to Department prior to the Department Convention, or

- (2) A nomination made from the floor at the Department Convention by certified delegates, provided that one of the following is handed to the Department Adjutant at the time of nomination.
 - (a) A nominating resolution from the nominee's Post, or
 - (b) A nomination signed by a majority of the delegates from the nominee's Post.

Section 3: Appointed Department Officers.

- A. The appointed officers of this Department shall be Judge Advocate, Adjutant, Finance Officer, Assistant Finance Officer and Service Officer.
- B. Officers of the Department who are not elected to their positions shall be appointed by the Department Commander at the first Department Executive Committee Meeting.
 - (1) The Judge Advocate shall be appointed for a one-year term.
 - (2) The Adjutant shall be appointed to a five (5) year term
 - (3) Service Officer shall be appointed to a five-(5) year term
 - (4) The Department Finance officer and assistant finance officer shall be appointed for two (2) year staggered terms.

Section 4: Department Officers Appointed as Administrative Employees. The Adjutant and Service Officer are Department Officers and shall be administrative employees of the Department Executive Committee. Administrative Employees shall be appointed by the Commander and shall be considered employees of the Department Executive Committee. Such employees may be removed from office for cause during the period of their contract by a two thirds vote of the Department Executive Committee at a meeting called for that purpose.

Section 5: Installation of Department Officers.

- A. Elected Department Officers. Elected department officers shall be installed at the Department Convention at which each was elected.
- B. Appointed Department Officers. Appointed department officers shall be installed at the Department Executive Committee meeting at which the appointment was approved.

ARTICLE VI

VACANCY IN OFFICE

Section 1: Department Commander. In the event of a vacancy in the office of Department Commander, for any reason, the Senior Vice-Commander shall serve for the remainder of the term.

Section 2: Department Vice Commander. In the event of a vacancy in the office of Department Vice-Commander, the District Commanders in that Area shall nominate candidates for that office and the Department Adjutant shall provide each Post Commander in those Districts with a ballot listing those candidates and also providing space for a write in candidate. Election of a Department Vice commander to fill the remainder of the term, shall be by a plurality of all ballots returned by the specified postmark deadline.

Section 3: Department Senior Vice Commander. If the vacancy to be filled is that of Senior Vice-Department Commander, there shall be an election by the Department Executive Committee to elect a Senior Vice- Commander from among the Department Vice-Commanders.

Section 4: National Executive Committeeman. In the event of a vacancy in the office of National Executive Committeeman, the Alternate National Executive Committeeman shall serve for the remainder of term.

Section 5: Alternate National Executive Committeeman. In the event of a vacancy in the office of Alternate National Executive Committeeman, the District Commanders shall nominate candidates for that office. The Department Adjutant shall provide Post Commanders with a ballot listing those candidates, and also provide a space for a write in candidate. Election of an Alternate National Executive Committeeman to fill the remainder of the term shall be by a plurality vote of all ballots returned by the specified postmark deadline.

Section 6: Appointed Department Officers. In the event of a vacancy in the office of an appointed Department Officer, the Department Commander shall appoint a replacement to the vacancy. Notification of the appointment will be given to the Department Executive Committee within ten days. If an objection is registered in writing within 10 working days by ten (10) or members more of the Department Executive Committee, a special meeting shall be called for the purpose of confirming the appointment(s).

ARTICLE VII

RESIGNATION OR REMOVAL FROM OFFICE

Section 1: Resignation.

- A. A resignation from any officer shall be submitted in writing to the Department Commander or Adjutant; or orally to the Department Executive Committee when it is in session. Such resignation shall be considered effective, thus creating a vacancy, on the date specified in the resignation, or if not specified, on the date received.
- B. Should a District Commander or District Vice-Commander accept an elected or appointed Department office for the same term of office, this shall cause an automatic resignation from the District office, thus leaving a vacancy in that District office.

Section 2: Removal from Office. The Department Executive Committee shall have the power to remove any of its members in accordance with the provisions of this Section, except the Administrative Employees who are covered in Article V, Section (4).

- A. Any member who fails to attend two consecutive Department Executive Committee meetings shall be subject to removal. Such removal shall create an automatic vacancy in that office unless, by a 2/3 vote, the Department Executive Committee accepts that member's excuse for at least one of those two meetings. Such excuse shall be presented and voted on during roll call of the meeting at which the absence occurs.
- B. The removal for just cause must be based on malfeasance or misfeasance in office, neglect of duty, failure to carry out in good faith the provisions of the Department Bylaws or flagrant violation of the Department Bylaws or Department Operating Procedure. Charges shall be made in writing and signed by the Legionnaire(s) preferring such charges. The Department Commander or any ten voting members of the Department Executive Committee shall call a special meeting of the Department Executive Committee to provide a hearing on the charges.
 - (1). At that special meeting, the Department Executive Committee shall first determine if the charges have merit.
 - (a) If determined, by a 2/3 vote of the members present, that the charges have merit, the Department Executive Committee shall determine, by a 2/3 vote of the entire voting membership of the Department Executive Committee, whether the charges warrant removal from office or some lesser applicable

punishment which will be meted out at that meeting.

(b) If the charges are determined to be without merit, per the vote above, the Department Executive Committee shall dismiss the charges and shall then determine what action to take relative to the Legionnaire(s) who preferred the charges.

- (2). When the Department Executive Committee determines that removal from office is warranted; it shall take effect immediately, creating a vacancy in that office.

Section 3: Removal Due to Moral Turpitude. If information is acquired that the Department Commander, Department Vice Commanders, District Commanders, District Vice Commanders and Commission and Committee Chairmen of the Americanism and Children and Youth Programs who, by virtue of their positions, may be required to associate with children and “at risk” individuals, has committed one or more of the disqualifying criteria as reported in an approved background check, that individual will immediately be prohibited from having contact with any American Legion youth or “at risk” programs until the veracity of the information has been determined.

ARTICLE VIII

DUTIES OF DEPARTMENT OFFICERS

Section 1: Department Commander. The Department Commander shall be the executive head of the American Legion Department of Washington, and, as such, shall oversee and supervise all programs and activities of the Department, including the duties and responsibilities of other Department officers, commissions and committees. In addition, the Department Commander shall:

- A. Preside at all meetings of the Department Executive Committee and all sessions of the Department Convention.
- B. Authorize the calling of dates and locations of the Fall and Spring District Conferences, and attend the Fall and Spring Conferences in each District.
- C. Make all required appointments and nominations, subject to Department Executive Committee action at their first meeting, except as otherwise specifically provided for in the Department Bylaws,
- D. Approve/reject District Commanders appointments, as specified in these Bylaws, within 30 days after notification of the appointments.
- E. Serve as an ex-officio member of all Department Commissions and Committees except the Audit Committee.
- F. Remove appointed commission/committee members for just cause, subject to appeal to the Department Executive Committee, whose decision shall be final
- G. Represent the Department of Washington at Regional and National American Legion functions as required and at other public functions within the Department.

Section 2: Department Vice Commanders. Each Department Vice-Commander shall represent the Department Commander when so requested by the Commander. In addition, each Department Vice-Commander shall:

- A. Be a member of the Department membership committee.

- B. Attend each Fall and Spring District Conference within the applicable Area.
- C. Coordinate activities, including training, of the District and Post officers within the applicable Area.
- D. Hold a minimum of one Area Workshop prior to Veterans Day.
- E. Conduct two area round table meetings with the District Commanders and District Vice Commanders of the Area.

Section 3: Department Sergeant at Arms. The Department Sergeant at Arms shall be responsible for preserving order at Department Conventions and Department Executive Committee meetings for escorting dignitaries to the podium and for performing such other duties as requested by the Department Commander.

Section 4: National Executive Committeeman (NECman). The NECman shall represent the Department in the performance of those duties specified in the National Constitution and Bylaws and shall perform those duties specified in the Department Bylaws, and Department Operating Procedure.

Section 5: Alternate NECman. The Alternate NECman shall remain abreast of those National and Department issues in which the NECman is involved and shall stand ready to assume the duties of the NECman when necessary.

Section 6: Department Chaplain. The Department Chaplain shall be responsible for providing non-sectarian benedictions and invocations at Department Convention functions and at such other Department meetings at which attendance is required, for conducting Legion funerals when so requested, and for providing instructions to Post and District Chaplains.

Section 7: Department Historian. The Department Historian shall be responsible for compiling a history of the Department for the current Legion year, for submitting a History Book to National, for turning that history over to the Department Adjutant for inclusion in the Department historical records, for filling in any missing historical records whenever possible, and for assisting Post Historians in their responsibilities.

Section 8: Department Judge Advocate. The Department Judge Advocate shall advise Department officers/chairmen relative to the provisions of the National Constitution & By-laws, and Department Bylaws, Convention Rules and Robert's Rules of Order Newly Revised. ("The Judge Advocate should not address the assembly; rather, he should privately express an opinion on a point to the chair, and the chair has the duty to make the final ruling. Roberts Rules of Order, section 47, Officers, Parliamentarian".)

Section 9: Department Adjutant. The Department Adjutant shall be the chief administrative officer, subject to supervision by the Department Commander and responsible to the Department Executive Committee for the faithful performance of all duties related to this position, including the following:

- A. Operation of the Department business office including Human Resource matters in accordance with approved Job Description and Department Personnel Policy Manual and Department Operating Procedures. Duties include the hiring, supervision and termination of non-officer Headquarters personnel.
- B. Maintain a permanent record of the minutes of each Department Executive Committee meeting and each Department Convention session, ensuring appropriate approval of each set of minutes.
- C. Maintain a record of all Districts and Posts within the Department, including members in good standing, officers, and committee chairmen.
- D. Attend each Fall and Spring District Conference.

Section 10: Department Finance Officer. The Department Finance Officer shall be responsible for the proper handling of all funds under his care, maintaining vigilance over the financial records, and ensuring that checks are prepared only for properly executed vouchers which are within the approved budget. The Department Finance Officer shall have single signature authority to disburse all monies from the Department treasury, provided such disbursement is authorized by the approved budget and by a voucher signed and certified by the applicable officer/chairman and countersigned by the Department Commander. In addition, the Finance Officer shall provide fiscal and fiduciary duties for the Sons of The American Legion.

Section 11: Department Service Officer. The Department Service Officer shall be responsible for preparing the Service Division budget; the operation of Service Division, including the hiring, supervision and termination of Service Division personnel preparing written policy covering such personnel, subject to the approval of the Department Executive Committee. In addition, the Service Officer shall perform such duties as are normally incident to an American Legion Department Service Officer and as directed by the Department Executive Committee. The Department Service Officer shall also attend each Fall and Spring District Conference.

ARTICLE IX

DEPARTMENT EXECUTIVE COMMITTEE

Section 1: Duties of the Department Executive Committee. In addition to the duties specified in these Bylaws, the Department Executive Committee, as a body, shall be responsible for any matters relating to the business of the Department which are not otherwise specified in these Bylaws when the Department Convention is not in session.

Section 2: Members of the Department Executive Committee shall be comprised of the following.

- A. **Voting Members.** The voting members of the Department Executive Committee shall be; the elected Department Officers, the Junior Past Commander, Each District Commander, the National Executive Committeeman and the Alternate National Executive Committeeman.
- B. **Non-voting Members.** The appointed Department Officers shall be members of the Department Executive Committee with voice but without vote.
- C. **Acting Members.** In the event of the temporary inability of a Department Executive Committee member specified herein to serve during a regular or special meeting (e.g., not a vacancy in office), the following shall serve:
 - (1) Department Commander - duties to be performed by the Department Senior Vice-Commander.
 - (2) District Commander - duties to be performed by the District's Vice Commander.

Section 3: Privilege of the Floor. Past Department Commanders (except the Junior Past Commander) and Past National Executive Committeemen shall be granted the privilege of the floor, but without vote.

- A. Guests granted privilege of the floor shall be recognized by the chair when no member of the Department Executive Committee wishes the floor.
- B. Non-privileged guests will be recognized at the discretion of the chair.

Section 4: Regular Meetings. There shall be three regular Department Executive Committee meetings each year.

- A. The first regular meeting shall be convened within 24 hours after the close of the Department Convention.
- B. The second regular meeting shall be called the Midwinter Department Executive Committee Meeting and shall be scheduled the first weekend in February, at a time and location approved at the first regular meeting.
- C. The third regular meeting shall be convened within the 72 hours preceding the start of the Department Convention. The start of the convention will be when the Convention is called to order and convened.

Section 5: Special Meetings of the Department Executive Committee. Special meetings may be called by the Department Commander or after petition by ten members of the Department Executive Committee.

- A. Special meetings shall be held at a time and place set by the Department Commander, and shall be called in not less than three or more than ten days after it is determined to have a special meeting.
- B. Special meetings of the Department Executive Committee may also be held by a telephone conference call provided the following are complied with:
 - (1) The need for such a special meeting must be such that it is not practical to call a face-to-face special meeting or to wait for the next regularly scheduled meeting
 - (2) Written notification of the telephone conference must be sent to each member of the Department Executive Committee specifying the reason, the subject of the meeting, and the date and time the telephone conference will be held.
 - (3) Such notification shall include all written material, which is pertinent to the subject and shall be mailed in such a way as to reach each member of the Department Executive Committee at least three days prior to the date and time of the telephone conference.
 - (4) The telephone conference shall be arranged so that every member of the Department Executive Committee can hear and be heard by every other member and exact minutes shall be kept the same as if it were a face-to-face special meeting.

Section 6: Department Executive Committee Quorum. A quorum for Department Executive Committee meeting shall be a majority of the voting members.

Section 7: Material Distribution and Department Executive Committee Minutes. The requirements for the Department Adjutant to distribute material prior to meetings and the minutes after meetings shall be as defined in the Department Operating Procedures.

Section 8: Discipline. All questions affecting the election, eligibility and conduct of department officers shall be referred to and determined by the Department Executive Committee, which shall be the final authority thereon.

ARTICLE X

DEPARTMENT COLOR SQUAD

Section 1: Appointment. The eight members of the Color Squad shall be appointed to staggered four-year terms (two each year) by the Commander at the first Department Executive Committee meeting, with approval by the Department Executive Committee.

Section 2: Color Squad Captain Election. Immediately following the annual appointments, the Color Squad Captain shall be elected by and from the members of the color squad.

Section 3: Duties. The Department Color Squad shall be responsible for posting and guarding the colors at the Department Convention and for parading the colors when so directed by the Department Commander.

ARTICLE XI

DEPARTMENT CONVENTION

Section 1: Time and Place. There shall be an annual Department Convention, the time and place of which shall be fixed by the Department Executive Committee not less than one year in advance, with the exclusion of the period one week prior to and one week following the beginning and ending of both Evergreen Boys State and Evergreen Girls State.

Section 2: Delegates.

- A. Each Post shall be entitled to one Delegate, plus one additional Delegate for each 100 members or major fraction thereof. Current dues must have been received by the National Treasurer at least 30 days prior to the convening of the Department Convention.
- B. Post Delegates shall be selected in accordance with Post Bylaws, and the Post Adjutant and Post Commander shall certify to Department Headquarters the names of those so selected, as prescribed in the Department Operating Procedures.
- C. Past Department Commanders, Past National Executive Committeemen, currently serving elected Department Officers and District Commanders shall be delegates at large (in addition to the delegates authorized for the Post in which they are in good standing) but, on a roll call vote, shall cast their votes with the applicable Posts.
- D. The Department Adjutant shall certify the Delegates as "in good standing" and so notify the applicable Post prior to the Convention.
- E. The Department Adjutant shall attest the number of certified delegates registered from each post before convention.

Section 3: Alternates.

- A. Each Post shall be entitled to alternates equal to the number of delegates authorized and shall select them at the same time as the Delegates.
- B. Certification of the Alternates shall be the same as for Delegates.

Section 4: Delegation Seating. A Post delegation will be seated at Convention provided all per capita dues and fees have been paid and all other accounts with Department are current and the Post Officers report for the ensuing year has been received by the Department Adjutant. Such seated delegation shall be entitled to a vote for each delegate who is registered for the Convention, certified by the Credentials Committee and present on the Convention floor.

Section 5: Quorum. A quorum for a Department Convention shall be one half of the Posts in the Department having Delegate representation, elected or at large, registered for the Convention and having received Delegate Credentials.

Section 6: District Caucuses. Within 48 hours prior to the start of the Department Convention, a Caucus for each District shall be scheduled for the purpose of discussing Convention business, selecting the authorized National Convention Delegate(s) and Alternate(s), and, if required, electing District Officers.

Section 7: National Convention Delegates and Alternates. In accordance with the National Constitution, National will determine the Department Delegate and Alternate strength authorized for the National Convention.

- A. The Department Commander, Jr. Past Department Commander, and National Executive Committeeman (in office after the Department Convention elections that calendar year) and the Department Adjutant shall be designated as Delegates.
- B. The remaining authorized Delegate strength shall be apportioned to each of the 12 Districts, based on District membership, by the Department Adjutant with Department Commander approval.
- C. Each District Commander and Vice Commander shall be notified in writing by the Department Adjutant, prior to its Convention Caucus, the number of authorized Delegates for the applicable District, with a matching number of authorized Alternates.
- D. The Jr. Past Department Commander shall be the Delegation Chairman, with the authority to fill Delegate and Alternate vacancies and make appointments to National Convention Committees from among Department Legionnaires in attendance at the Convention. In the filling of Delegation vacancies, priority shall be given to Legionnaires from the District in which the vacancy exists, then to Department officers, and then to Legionnaires from other Districts from which no vacancy exists. In the absence of the Jr. Past Department Commander, the Department Commander shall act as Chairman.
- E. The Department Adjutant shall act as Secretary of the Delegation.

ARTICLE XII

DEPARTMENT OPERATING PROCEDURE

Section 1: Establishment of Department Operating Procedures. The Department Executive Committee shall establish Department Operating Procedures as deemed necessary for activities and procedures not covered in these Bylaws and publish all said Department Operating Procedures as a single document.

Section 2: Distribution of Department Operating Procedures. Distribution of the approved Department Operating Procedures shall be the same as for the Department Bylaws.

Section 3: Department Operating Procedures Review. Each Commission and Committee shall review their operating procedures annually and submit any changes to their procedures to the Department Executive Committee at Mid-Winter Conference for approval.

ARTICLE XIII

DEPARTMENT COMMISSIONS AND COMMITTEES

Section 1: Structure and Responsibilities.

- A. **Americanism Commission.** The Americanism Commission shall consist of a Chairman, a Vice chairman West and a Vice Chairman East appointed to staggered three-year terms by the Department Commander, and the Chairman of the following Committees.
 - (1) **Baseball Committee.** The Baseball Committee shall consist of a chairman, four Senior Commissioners and one District Commissioner for each Legion District, appointed as follows:

- (a) Senior Commissioners appointed for a four-year term by the remaining Commissioners with Department Commander approval, one Senior Commissioner will be appointed or re-appointed each year.
- (b) District Commissioners appointed to staggered three-year terms by the Department Commander (four each year in the following sequence: District 1, 3, 7 and 11; District 2, 6, 10 and 12; District 4, 5, 8 and 9) from a list of qualified aspirants submitted by the Baseball Committee.
- (c) The Baseball Committee Chairman shall be appointed annually by the Department Commander upon recommendation of the Senior Commissioners as soon as possible after the start of the Legion year. The Baseball Committee Chairman shall not hold another position within the Baseball Committee.
- (d) Vacancies on the Commission, for any reason, shall be filled by appointment for the unexpired term by the Department Commander from a list of up to four names of qualified aspirants submitted by the Baseball Commission.
- (e) Removal of a Commission member for cause requires a two-thirds vote of the remaining Commission members, subject to approval by the Department Commander and subject to appeal before the Department Executive Committee. The decision of the Department Executive Committee will be final.
- (f) This Committee shall be responsible for administration, training, and performance standards of Legionnaire personnel involvement, supervision of sponsorship and coordination of the involvement of the Department of Washington in The American Legion Baseball program with the Department Executive Committee. Standing procedures, sponsorship guides, proposed involvement, Legion responsibilities, other necessary data, a proposed budget and a yearly schedule of events will be submitted to the Department Executive Committee for necessary action.
- (g) The District Commissioners shall each have the responsibility of coordinating Legion Baseball within their respective Districts. The formation of District Baseball Committees to work with them should be coordinated with the District Commander concerned.

(2) **Boy Scouts Committee.** The Boy Scouts Committee shall consist of the following:

- (a) Chairman, Vice Chairman East and Vice Chairman West, appointed annually by the Department Commander.
- (b) One member from each District appointed by the applicable District Commander.

(3) **Boys State Committee:** The Boys State Committee shall consist of the following:

- (a) A Chairman, appointed to a three (3) year term by the Department Commander, a Vice Chairman East, and a Vice Chairman West appointed annually by the Department Commander, with Department Executive Committee approval, and one member from each District, appointed annually by the applicable District Commander, with Department Commander approval.

(4) **Education Committee.** The Education Committee shall consist of a Chairman, Vice Chairmen East and a Vice chairman West appointed annually by the Department Commander and one member from each District appointed annually by the applicable District Commander with approval of the Department

Commander.

- (5) **Junior Shooting Sports Committee.** The Junior Shooting Sports Committee shall consist of a Chairman, Vice Chairman East and Vice Chairman West appointed by the Department Commander and one member from each District appointed annually by the applicable District Commander with approval of the Department Commander.
- (6) **Oratorical Contest Committee.** The Oratorical Contest Committee shall consist of five (5) members appointed to staggered five year terms (one each year) by the Department Commander and a chairman shall be appointed from among the five (5) members, except that the appointments shall be made so that there will be one member from each Department Area and one at large, with consideration given to recommendations of the Committee, one member from each District, appointed annually by the applicable District Commander, with Department Commander approval.
- (7) **Special Olympics Committee.** The Special Olympics shall consist of the following;
 - (a) Chairman, a Vice Chairman East and a Vice Chairman West appointed annually by the Department Commander.
 - (b) One member from each District appointed by the applicable District Commander with Department Commander approval.

B. **Audit Commission.** The Audit Commission shall consist of six qualified Legionnaires appointed by the Department Commander, to staggered terms of three years (two each year).

- (1) Each member of this commission shall:
 - (a) Be experienced in current accounting practices but does not necessarily have to be a Certified Public Accountant (CPA).
 - (b) Have demonstrated knowledge of Department programs and overall Department functioning.
 - (c) Not be the currently serving nor have served the previous year as Department: Commander, Adjutant, Service Officer, or member of the Finance Commission.
 - (d) Receive Department financial reports and reconcile these reports with the Department Executive Committee approved budget.
 - (e) Review the Department accounting system, record the review along with any recommendations and make the entire file available for possible inclusion in the next audit report.
- (2) This Commission shall be responsible for:
 - (a) Conducting an interim audit of the financial records of the Department Finance Officer, including those actually maintained by the Department Bookkeeper, effective June 1 each year and shall present a detailed audit report to the Department Executive Committee at their third meeting.
 - (b) Conducting a final audit of the financial records of the Department Finance Officer, including those actually maintained by the Department Bookkeeper, within 30 days following the completion of the Annual

Financial Report and shall provide a detailed audit report to the Department Executive Committee as soon as the audit is completed, with Department Executive Committee action to be taken at their second meeting.

- (c) Conducting an audit of the Department financial records at any time during the year that this Commission determines necessary when Headquarters preparation for the audit does not conflict with other mandated Headquarters activities.
- (d) At the direction of the Department Executive Committee, conducting other audits, such as if the Finance Officer changes during a fiscal year, specified Commission accounts, Post financial records (under the conditions specified in Article XVIII, Section 3).

- (3) Each Audit Commission report is subject to approval by the Department Executive Committee, after which it shall be published to Delegates in Convention and may, at Department Executive Committee direction, be published to all Department Posts.

C. **Children and Youth Commission.** The Children and Youth (C&Y) Commission shall consist of three members appointed to staggered three-year terms (one each year) by the Department Commander with Department Executive Committee approval and one member from each District, appointed by the applicable District Commander, with Department Commander approval.

- (1) This Commission shall be responsible for administering all affairs of The American Legion Children and Youth programs within the Department, subject to supervision by the Department Commander and the Department Executive Committee.

D. **Commission on Committees.** The Commission on Committees shall consist of the Department Commander, National Executive Committeeman and five members appointed to staggered five-year terms (one each year) by the Department Commander.

- (1) Duties and Responsibilities.
 - (a) Recommend National appointments and Call-in's.
 - (b) Assist candidates for Department Commander on Department appointments.

E. **Convention Commission.** The Convention Commission shall consist of five members appointed to staggered three-year terms by the Department Commander.

- (1) This Commission shall be responsible for investigating and considering applications from Posts or Districts desiring to host a Department Convention and reporting, for approval, not later than the second meeting of the Department Executive Committee in the year prior to that Convention.
- (2) The American Legion Auxiliary, Department of Washington, shall be requested to provide a Convention Liaison Committee of three members to work with the Department Convention Commission each year.
 - (a) The names of such Liaison Committee are to be forwarded to the Commission immediately following the close of the first meeting of the newly elected Auxiliary Department Executive Committee.
 - (b) If possible, one member of the Liaison Committee should be a member of the Unit affiliated with the host Post or a member of the Host District.

- (3) Department Adjutant will have veto authority over any applications to host a Department Convention.

F. **Finance Commission.** The Finance Commission shall consist of six members appointed to staggered five-year terms (one each year) by the Department Commander.

- (1) The Department Finance Officer, during his/her term of office, shall be a member of the Finance Commission, with voting privileges.
- (2) This Commission shall:
 - (a) Receive Department financial reports and reconcile these reports with the Department Executive Committee approved budget.
 - (b) Review the Department's investment portfolio and reserve funds and make recommendations to the Department Executive Committee pertaining thereto.
 - (c) Receive for study and recommendations all proposals for revenue and expenditures not currently included within the approved budget.
 - (d) Receive the annual budget requests for the upcoming year from each Division head, Commission and Committee Chairman, and authorized corporate entity not later than May 1st, except American Legion Evergreen Boys' State and American Legion Baseball, which will submit their budgets at Mid Winter Department Executive Committee meeting; compile proposed budget and return to each source and hold a public hearing for possible reconsideration or assistance in the preparation of the proposed budget prior to finalization for submission to the Department Executive Committee for approval at their third regular meeting.
 - (e) Perform such other duties as are consistent with the purposes of this Commission.

G. **Department Legion College Commission.**

- (a) The mission of The American Legion, Department of Washington Legion College is the preservation, advancement, and dissemination of knowledge. Department Legion College preserves knowledge through its courses and advances new knowledge through many forms of research, inquiry and discussion; and disseminates it through the classroom and laboratory, scholarly exchanges, creative practice and public service.
- (b) The Department Commander shall appoint a Chancellor to a three (3) year term. The Chancellor shall oversee the operation of the college. The Department Legion College shall have the following directors; Academic Affairs, Administration, Policy and Provost. The duties of which shall be determined by the chancellor with review by the Department Executive Committee.

H. **Legislative Commission.** The Legislative Commission shall consist of three members appointed to staggered three-year terms (one each year) by the Department Commander. This Commission shall be responsible for administering the Department Legislative Program as mandated by the Convention for action within this state and for making studies and recommendations relative to all veterans' benefits provided by this state, such as, but not confined to, relief and education

- I. National and Homeland Security Commission.** The National and Homeland Security Commission shall consist of a Chairman elected annually from among the members of the Commission, a Vice Chairman East and a Vice Chairman West appointed annually by the Department Commander, and The Commission Chair will appoint a Subject Matter Expert (SME) annually for the Subject Areas of the American Legion's National Security Commission: Conventional Armed Forces, Aerospace, Unconventional Forces and Intelligence, Foreign Relations, Military Benefits and Quality of Life, National Guard & Reserve Forces Blood Drive and a Member-at-Large with the Department Commander's approval. Membership will also include the Chairmen of the following Committees:
- (1) Law and Order/Homeland Security Committee.** Shall consist of a Chairman, Vice Chairman East and Vice Chairman West appointed annually by the Department Commander and one member from each District appointed by the applicable District Commander with the Department Commander's approval.
 - (2) Disaster Preparedness Committee.** Shall consist of a Chairman, Vice Chairman East and Vice Chairman West appointed annually by the Department Commander and one member from each District appointed by the applicable District Commander with the Department Commander's approval.
 - (3) Cyber-Security Committee.** Shall consist of a Chairman and four (4) additional members appointed annually by the Commission Chairman with the Department Commander's approval.
- J. Publication Commission.**
- (1) The Publication Commission shall consist of the following:
 - (a) Three members appointed to staggered three-year terms by the Department Commander, with consideration given to Commission recommendations. Each member shall be familiar with one of the following, Editing, Publishing, Writing, Advertising or Internet and Web page.
 - (b) The Publication Commission shall be expanded to include not more than three Auxiliary members and the Auxiliary President, with voice but without vote, except on matters relating to or impacting the Auxiliary.
 - (2) Joint publication of a newspaper for both The American Legion and American Legion Auxiliary, Department of Washington, may be authorized by the Department Executive Committee under the following conditions:
 - (a) The Auxiliary shall provide to the Department Finance Officer the cost of its portion of the newspaper as determined by the DEC.
 - (b) The Auxiliary shall identify an Auxiliary Publication Editor who shall be responsible for providing the Auxiliary news to the Department Editor in the format and on the schedule specified by the Department Editor. Failure to comply shall not delay publication of the 'Washington State Legionnaire' nor shall it relieve the Auxiliary of the financial obligation specified herein.
- K. Veteran's Affairs and Rehabilitation Commission:** The Veteran's Affairs and Rehabilitation Commission shall consist of a Chairman, the Hospital Committee Chairman and a Legionnaire holding an appointment to the National VA&R Commission, appointed by the Department Commander. The Commission will also consist of the Legislative Commission Chairman, the Women Veterans Coordinator, the Operation Comfort Warriors Coordinator, the Department Service Officer and the Legionnaire who is the

representative on the Governor's Veterans Affairs Advisory Committee and the VA&R and VE&E Liaison.

- (1) The Hospital Committee. The Hospital Committee shall consist of a Hospital Chairman, and a VAV's representative for each of the Veterans Administration facilities and each State Veteran's Home located in the Department, appointed annually by the Department Commander.

- L. **Veteran's Employment and Education Commission:** Veteran's Employment and Education Committee. The Veterans Employment & Education Committee shall consist of a Chairman and East and West Vice Chairman, appointed annually by the Department Commander.

Section 2: Election of a Chairman. As soon as possible following the annual appointment of new members to each commission, the commission shall elect a Chairman from among its members, with approval by the Department Commander, and immediately notify the Adjutant of the results.

Section 3: Meeting Quorum. The quorum for any Commission or Committee shall be a majority of the members.

Section 4: Resignation. A resignation by any Commission or Committee member shall be made in the same way as specified in these Bylaws for officers.

Section 5: Reports. Each Commission and Committee shall provide reports to the Department Executive Committee at the second and third regular meetings, to the Convention Delegates, and at such other times as requested by the Department Executive Committee.

ARTICLE XIV

DEPARTMENT STANDING COMMITTEES

Section 1: Standing Committees:

- A. **Public Relations Committee:** Shall consist of a Chairman, Vice Chairman East and Vice Chairman West appointed annually by the Department Commander and one member from each District appointed by the applicable District Commander with the Department Commander approval.
- B. **Spirit of Service Award (SOSA) Committee.** Shall consist of a Chairman and four (4) additional members appointed annually by the Department Commander.
- C. **Membership Committee:** The Membership Committee shall consist of a Chairman appointed annually by the Department Commander and the four Department Vice-Commanders. District Vice-Commanders and Post Membership Chairmen are considered ex-officio members of this committee.
- D. **Sons of the American Legion (S.A.L.) Advisory Committee:** The S.A.L. Advisory Committee shall consist of the following:
 - 1 A Chairman and a Vice Chairman East and a Vice Chairman West appointed annually by the Department Commander and one member from each District, appointed annually by the applicable District Commander, with Department Commander approval.
 2. The S.A.L. Advisory Committee shall have the following responsibilities:
 - (a) Promote the S.A.L. and assist in the formation of new Squadrons.

- (b) Maintain Committees and existing Squadrons
 - (c) Provide guidance to the Detachment Commander
 - (d) Serve as ex-officio members of all Detachment commissions and/or committees.
 - (e) Report on S.A.L. activities within the Department to the Department Executive Committee.
- D. **Resolutions Committee.** Resolutions Committee shall consist of four members and a chairman appointed annually by the Department Commander.
- (1) The Committee will meet at Department Headquarters annually the first week in July to review resolutions submitted by Posts and assign them to the applicable Convention Committee.
 - (2) The Committee will prepare required courtesy resolutions and report to the Convention Delegates.
- E. **Trophies and Awards Committee.** Trophies and Awards Committee shall consist of four members and a chairman appointed annually by the Department Commander.
- (1) The Committee shall meet annually during the first week in June.
 - (2) The Committee shall judge the participants in the Department trophies and awards programs specified in the Department Operating Procedures.

Section 2: Meeting Quorum. The quorum for any Committee shall be a majority of the Committee membership.

Section 3: Resignation. A resignation by any Commission or Committee member shall be made in the same way as specified in these Bylaws for officers.

Section 4: Reports. Each Committee shall provide reports to the Department Executive Committee at the second and third regular meetings, to the Convention Delegates, and at such other times as requested by the Department Executive Committee, or when directed by the Department Commander.

ARTICLE XV

DEPARTMENT SPECIAL COMMITTEES

Section 1: Special Committees.

- A. When a Special Committee is authorized/directed by the Department Executive Committee or by the Department Commander, a chairman and the required other members shall be appointed by the Department Commander.
- B. Special Convention Committees may be authorized/directed by the Department Commander to meet and conduct business at the Annual Department of Washington Convention.
 - (1) Appointments of a Chairman and at least 4 other members for Special Convention Committees shall be made from the certified Delegates or Alternates by the Department Commander as far in advance of the Convention opening as

possible.

- (2) The Bylaws, Credentials, and Teller Committees shall have at least a Chairman, Vice Chairman, Secretary, and have as a minimum one member from each District.
- (3) Special Convention Committee members may serve only if they are registered for that Convention. The Department Adjutant shall ensure that such appointed Committee Chairmen are registered before handing out the applicable committee packet, and each such Committee Chairman shall ensure that each appointed member of that committee is registered for that Convention before permitting that member to serve.

Section 2: Convention Committee Responsibilities:

- A. **Bylaws Committee.** The Bylaws Committee reviews proposed amendments to the Department Bylaws, and report to the Convention Delegates.
- B. **Credentials Committee.**
 - (1) The Credentials Committee shall meet with the Convention Corporation on Tuesday of the week of the Department Convention.
 - (2) The Committee will setup and perform the tasks defined in the Department Operating Procedures.
- C. **Teller Committee.** The Teller Committee shall perform the tasks defined in the Department Operating Procedures.

ARTICLE XVI

DISTRICT OFFICERS AND OPERATION

Section 1: District Officers:

- A. Each District within this Department shall elect one District Commander and one District Vice-Commander. Other District Officers may be elected or appointed in accordance with the applicable District Bylaws.
- B. District Commanders and Vice Commanders shall be installed at the Department Convention.

Section 2: Nomination and Election of District Officers:

- A. Each District Officer shall be nominated by resolution from the Legionnaire's own Post which must be located within the applicable District, with the resolution submitted to the District Commander and a copy provided to Department Adjutant.
- B. Nominations may be made from the floor at the District Spring Conference by the certified Post Delegates, provided that one of the following is handed to the presiding District Officer at the time of nomination:
 - (1) A nominating resolution from the nominee's home Post.
 - (2) A written nomination, signed by the certified Delegate from the nominee's Post.
- C. District Officers shall be elected at the District Spring Conference, by a majority vote, for a one year term; commencing at the close of the Department Convention.

- (1) Should election at the Spring Conference not be possible the election will be held during that District's scheduled Caucus at the Department Convention.
 - (2) In such case the District Commander shall notify the Department Adjutant who will notify each Post Commander in that District
- D. In the event of a vacancy in the office of District Commander, the District's Vice Commander shall serve for the remainder of the term.
 - E. In the event of a vacancy in the office of a District Vice Commander, the Department Adjutant shall notify each Post Commander in that District of the vacancy; solicit nominating resolutions to be returned on a specified date, at least 30 days after the notice and provide notice of the District meeting at which the election to fill the remainder of the term will be held. The election may be held at any regular meeting of that District or at a special meeting called for that purpose. If the vacancy occurs at a regularly scheduled meeting it may be filled at that meeting provided a quorum is present.

Section 3: District Commander Duties:

- A. Present required appointments in writing thirty days after elected or at the first Department Executive Committee meeting for the Department Commander's approval.
- B. Visit each Post in the District at least once each year and chair the District Fall and Spring Conference and other District meetings, and attend all Department Executive Committee meetings.
- C. Submit properly executed and substantiated vouchers to the Department Finance Officer for expenses related to the duties above, except that the total amount shall not exceed that specified in the approved Department Budget.
- D. Be responsible for Membership Programs within the applicable Districts.
- E. Ensure that minutes are kept of each meeting of that District and provided to each post Commander within that District within 30 days following each meeting.
- F. The District Vice-Commander shall fill in for the District Commander as necessary, and chair the District Membership Committee.

Section 4: District Operation: Each District may adopt a Constitution, Bylaws and Standing Rules, provided, they do not conflict with the Bylaws or Constitution of either the Department or the National American Legion. Said Bylaws or Standing Rules shall be reviewed upon revision by the Department Judge Advocate for compliance, as required by this Section and endorsed by the Department Adjutant.

Section 5: District Conferences:

- A. A District Fall Conference shall be scheduled for each District. The Department Commander shall schedule the date and time, and the place shall be determined by the appropriate District Commander, taking into consideration the scheduling of Department Officers who attend such Conferences. The purpose of the Fall Conference shall be to provide the Department Commander a forum to introduce annual priorities, share goals and present Legion program orientation.
- B. A Spring Conference shall be scheduled for each District so as to be completed by the first of May. The Department Commander shall schedule the date and time, and the place shall be determined by the appropriate District Commander. Election of District Officers for the following year shall be conducted at this Conference.

- C. Each Post within the applicable District shall be entitled to one vote, to be cast by the Post Commander, or commander appointed representative, in his or her absence. Certification of an appointed post representative shall be provided to the District Commander prior to said representative voting at a District Meeting or Conference. The Posts present at the District Conference shall constitute a quorum.

ARTICLE XVII

POST ORGANIZATION

Section 1: Requirements: Each Post shall have a minimum of 15 members in good standing and shall adopt a Constitution and/or Bylaws.

Section 2: Post Officers - Elected and/or Appointed:

- A. Each Post shall elect a Commander and elect or appoint, as a minimum, an Adjutant and Finance Officer.
- B. The following Post Officers should be appointed or elected: 1st Vice Commander, 2nd Vice Commander, Service Officer, Chaplain, Sergeant at Arms, and Historian.
- C. The immediate Past Commander of the Post shall be the Junior Past Commander.
- D. The annual election and installation of Post officers shall be held prior to the Department Convention, except if requested by a Post showing good cause, the Department Commander may grant permission to hold the election on a date as close after the annual Department Convention as practicable.
- E. No newly elected or appointed Post officer, regardless of the date of installation, may assume their duties of office earlier than the first day following the close of the annual Department Convention.
- F. Each officer, regularly handling American Legion monies, shall be properly bonded or insured with a good and solvent company to cover double the average annual funds handled by that individual.

ARTICLE XVIII

POST OPERATION

Section 1: Post Constitution and/or Bylaws Approval: Post member approved Constitution and/or Bylaws, together with any amendments and/or revisions thereto, shall be submitted to Department Headquarters for review by the Department Judge Advocate for compliance with the Department Bylaws and the Constitution and Bylaws of the National American Legion; upon compliance, they shall become effective when endorsed by the Department Adjutant.

Section 2: Notification of Post Officer Elections: Immediately following the election of Post officers, the Post Adjutant shall notify the Department Adjutant of the names, addresses, e-mail address, and telephone numbers of all Post officers and shall include the date of election. In addition, the Post Adjutant shall certify the eligibility of each to be a member of The American Legion. Such certification shall include the office, name, military service of eligibility, dates of active duty. Until such certification is received and approved by Department Headquarters, qualification for the office to which elected cannot be granted.

Section 3: Post Financial and Administrative Requirements: Each Post shall utilize Generally Accepted Accounting Procedures (GAAP) to account for funds of the Post. Each Post

shall maintain minutes of Post meetings. The Post Adjutant or Finance Officer shall maintain the membership records of the Post. The books, records, and accounts of each Post shall be made available for inspection by the Department Commander or his/her designee(s) when requested in connection with formal charges.

Section 4: Post Dues Transmittals: As Post members pay their dues, the Post Adjutant or Finance Officer, as specified in the Post Bylaws, shall transmit the National and Department cards and per capita to the Department Adjutant as soon as ten members' dues have been received or within 15 days after the first receipt of a member's non-transmitted dues, whichever is the earlier date.

Section 5: Post Meetings: Each Post shall hold regularly scheduled meetings at least ten months in each year and shall provide reports to Department, as requested, on the activities of the Post.

Section 6: District Conferences: Each Post shall participate in its' District Meetings and Conferences and shall provide reports to its District officers as requested.

Section 7: Post Delegate to District Conferences: Each Post shall send one delegate to represent the Post at each District Conference. In the event that elections will be held at the Convention District Caucus, this provision shall also apply.

ARTICLE XIX

REVOCATION, CANCELLATION, SUSPENSION or PROBATION OF POST CHARTERS

Section 1: Revocation, Cancellation or Suspension of a Post Charter: Action to revoke, cancel or suspend a Post Charter shall comply with the provisions of the National Constitution and Bylaws and the procedures in the "Uniform Code of Procedure for the Revocation, Cancellation or Suspension of Post Charters" as construed and amended by the guidelines established by the Department Operating Procedures.

Section 2: Probation of Post. Department Executive Committee shall reserve the right to place a Post on probation. Said action shall comply with provisions established in the Department Operating Procedures.

ARTICLE XX

AUXILIARY AND SUBSIDIARY ORGANIZATIONS

Section 1: The American Legion Auxiliary: This Department recognizes an auxiliary organization known as The American Legion Auxiliary ("Auxiliary"). Membership in the Auxiliary shall be as specified in the National Constitution.

Section 2: Twenty and Four (20/4): This Department recognizes an organization known as the Twenty and Four, Honor Society of Women Legionnaires, Department of Washington.

ARTICLE XXI

S.A.L. ORGANIZATION

Section 1: Detachment: The Department level for the S.A.L. shall be known as the "Sons of The American Legion, Detachment of Washington", hereafter referred to as "Detachment",

which:

- A. Shall operate under a Detachment Constitution and/or Bylaws, which have been approved by the Department Executive Committee.
- B. Is under the supervision of and responsible to the Department Executive Committee through the Department S.A.L. Advisory Committee.
- C. Detachment funds shall be transmitted to the Department Finance Officer to be held and accounted for separately from other Department funds.

Section 2: Squadron: The Post level for the S.A.L. is a Squadron which must be authorized and organized by the sponsoring Post in accordance with the National S.A.L. Constitution and Bylaws.

ARTICLE XXII

DUES AND FEES

Section 1: Per Capita Collection and Payment: Annual per capita dues and fees shall be collected at the Post level or paid by the Post and transmitted to the Department. Canadian Posts in this department may transmit their per capita dues and fees in Canadian Dollars. Membership cards shall not be accepted by Department, without required dues and fees.

Section 2: National Dues: National per capita dues are as established at the annual National Convention.

Section 3: Department Dues: The annual Department per capita dues are as established at the annual Department Convention. Allocation of funds is to be administered by the Department Executive Committee, with the advice of the Finance Commission.

Section 4: Life and Paid Up for Life (PUFL) Dues:

- A. Life Membership may be granted by a Post to its members, but once granted, the Post shall be responsible for payment of such members' National and Department per capita dues and fees as long as such members do not transfer out of the Post or resign from American Legion membership.
- B. This Department has authorized participation in the National PUFL program.
 - (1) Annual per capita dues and fees will be reimbursed by National directly to Department and to the applicable Post in the amount specified in the original purchase, without regard to subsequent changes.
 - (2) PUFL members shall be automatically counted toward the Post and Department specified membership goal at the start of each Legion year.

Section 5: Delinquency, Suspension, and Forfeiture of Membership: National and Department per capita dues are due and payable on 31 December of the calendar year preceding the Legion year, and a member is delinquent if not paid by January 1st. If the member is still delinquent after February 1st; he/she will be suspended from all privileges. Suspended members will be removed from the membership roll if not paid by June 30th.

Section 6: Department Fiscal Year: Although dues are based on the "Legion year" which is the calendar year, the Department fiscal year shall be from August 1 through July 31.

ARTICLE XXIII

RESOLUTIONS

Section 1: Post Approval: Any resolution approved by a Post shall be in the proper format, including certification by the Post Adjutant and Commander as to the meeting date and approval, then submitted to Department Headquarters not less than 90 days prior to the opening date of the Convention, or the second Department Executive Committee meeting except for the requirements specified elsewhere for amendments to the Department Bylaws. The start of the convention will be when the Convention is called to order and convened.

Section 2: Department Action

- A. Each resolution will be numbered in the order in which received, acknowledged by the Department Adjutant, and a copy maintained in a permanent Department Headquarters file.
- B. The Department Adjutant shall review all resolutions for proper format and conformance.
- C. Resolutions shall be mailed to all Posts, Past Department Commanders, Past National Department Executive Committeemen, and the Department Executive Committee members at least 60 days prior to Convention.

Section 3: Department or National Scope: Any resolution which is Department or National in scope shall not be publicized or have any action taken thereon until proper approval is given by the Department Executive Committee or by the Convention. In addition, if the resolution covers future continuing Department action, it shall be proposed as an amendment to the Department Bylaws or Department Operating Procedures as applicable, as opposed to a resolution just describing the desired future continuing action.

Section 4: Format: Each resolution shall be in the format specified in the Department Operating Procedures.

Section 5: Committee and Commission Resolutions:

- A. A Committee or Commission may consolidate or amend a Post resolution, provided the intent of the Post's resolution is completely clear and that intent is not changed.
- B. A Committee or Commission may generate resolutions provided the action is approved by a majority of the members, signed by the Chairman and Secretary, and presented in writing to the Department Adjutant prior to being included in the report or presented to the Convention Delegates for approval.
- C. Resolutions generated or revised by Convention Committees or Commissions require reading to the Convention Delegates at least 12 hours prior to the time at which a vote will be taken and require the Department Adjutant to provide copies for the Delegates as far in advance of the voting as possible.

ARTICLE XXIV

PARLIAMENTARY AUTHORITY

Section 1: The current edition of Robert's Rules of Order Newly Revised shall be the parliamentary guide of the Department and all bodies therein and apply in cases to which they are not inconsistent with the Bylaws adopted by the Department.

ARTICLE XXV

AMENDMENTS

Section 1: Bylaws Amendment Procedure: These By-Laws may be amended by the resolution process at any Department Convention by a vote of two-thirds of the authorized delegates voting; provided that the proposed amendment originated either from the Department Executive Committee or from a Post.

- A. Proposed amendments from Posts will be submitted in resolution format that shows the current text to be amended as it is written prior to the amendment, followed by the text as it will appear after the amendment. A short explanation for the recommended change will follow each recommended change. The resolution encompassing all changes being recommended will be attested to by the Post Commander and Post Adjutant showing the date the recommendation was approved by the Post membership. Proposed amendments must be submitted not later than ninety (90) days prior to the department convention at which it is to be considered.
- B. The Department Adjutant shall mail all proposed amendments to all Posts, Past Department Commanders, Past National Department Executive Committeemen and members of the Department Executive Committee at least 60 days prior to the start of the department convention.
- C. Proposed amendments may be changed by a two-thirds vote of the authorized delegates voting, provided it does not change the intent of the amendment.
- D. Resolutions revised by Convention By-laws Committee, must be read to the Convention Delegates at least 12 hours prior to the vote, with copies made available prior to the vote.
- E. Amendments proposed by the Pre-Convention Department Executive Committee meeting must be read to the Convention Delegates at least 12 hours the vote, with copies made available prior to the vote.
- F. Only amendments to these Bylaws, which have been processed as specified herein, may be considered for approval.

Section 2: Publication of Revised Bylaws: Within 30 days following the Department Convention, the Department Adjutant shall have the revision which includes the amendments acted on and approved by the Convention prepared in final format and presented to the Department Judge Advocate for review and signature that it is, in fact, that which was approved by the Delegates. Within 60 days following the Department Convention, the Department Adjutant shall mail one copy of the revised Bylaws to each Member of the Department Executive Committee, all Past Department Commanders, all Past National Department Executive Committeemen, each District Vice-Commander and two copies to each Post Adjutant. In addition, copies shall be available in Department Headquarters to be sent to any member of the Department requesting same.

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ENDORSEMENTS

These bylaws are certified to be a true copy of the revision approved by the membership at the Department Convention on 22 July 2017, Kennewick, Washington, amended by the membership at the Department Convention on 22 July 2017 in Kennewick, Washington.

Reviewed this 29th day of July, 2017

CERTIFIED BY:

Signature: 
Frank Selden (Jul 29, 2017)

Email: frank@frankseldenlaw.com

Department Judge Advocate

The American Legion, Department of Washington

Under the provisions of Article XXV, Section 2 of the American Legion Department of Washington Bylaws the foregoing Bylaws are reviewed and endorsed effective this date. This page will be attached as the last page of the approved document.

Approved for implementing effective this day of

APPROVED BY:

Signature: 

Email: adjutant@walegion.org

Leo Gruba

Department Adjutant

The American Legion, Department of Washington