

**THE CONSTITUTION OF
THE AMERICAN LEGION DEPARTMENT OF WASHINGTON
Adopted July 14th, 2024
by the
105th Annual Convention**

The present and existing Constitution of The American Legion Department of Washington, as it has been amended prior to this time, is hereby further amended so that it reads, in its entirety as follows:

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 all wars; to inculcate a sense of individual obligation to the community, state and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and 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

Section 1. The name of this organization shall be The American Legion, Department of Washington.

ARTICLE II

NATURE

Section 1. The American Legion, Department of Washington, is a civilian organization. Membership therein does not affect or increase liability for military or police service. Rank does not exist in The American Legion.

Section 2. The American Legion, Department of Washington, shall be absolutely 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.

Section 3. Each member shall perform their full duty as a citizen according to their own conscience and understanding.

Section 4. A member of The American Legion shall be known as a “Legionnaire”.

ARTICLE III

MEMBERSHIP

Section 1. Eligibility for membership in the Department of Washington shall be governed by the membership eligibility provisions of the National Constitution of The American Legion.

Section 2. There shall be no form or class of membership except an active membership and dues shall be paid annually or for life or special offers of multiple year memberships.

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

Section 4. Each Post shall be the judge of the qualification of its members provided such members are eligible for membership in The American Legion, and each Post may set such other reasonable standards of qualification for membership as it may determine. Race, color, religion, sex, age, disability, or national origin shall not be a barrier to membership. Each Post shall apply standards uniformly.

Section 5. No person who has been expelled by a Post shall be entitled to membership in another Post without the consent of the expelling Post, except that where such consent has been asked for and denied by such Post, that person may then appeal to the Department of Washington Executive Committee for permission to apply for membership in another Post and shall be ineligible for membership until such permission is granted.

Section 6. 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 remain a member of The American Legion.

ARTICLE IV

GENERAL ORGANIZATION

Section 1. The American Legion, Department of Washington shall be organized into Posts, the number of Posts to be determined by the Department Executive Committee in accordance with this Constitution and the admission of Posts to be determined by such Department Executive Committee. No person may become or remain a member of the Department except through membership in a Post.

Section 2. The American Legion, Department of Washington is a constituent part of The American Legion, a federal corporation organized by an Act of Congress. The American Legion, Department of Washington embraces, and its jurisdiction extends to the whole of the State of Washington and those portions of Canada which are adjacent to Washington State.

Section 3. The Department shall be divided into Areas, Districts, and Posts; organized, and officered as hereinafter provided.

Section 4. Between Department Convention, all executive, legislative, and judicial powers shall be vested in the Department Executive Committee and such subordinate units as approved by the Department Executive Committee and the Department shall have such officers as hereinafter provided.

Section 5. There shall be one regular annual Department Convention, which shall be the legislative body of the Department organization and there may be special conventions called as hereinafter provided.

Section 6. There shall be a Department Headquarters maintained at such place as the Department Convention shall designate and establish. An office shall be provided for the Department Commander in the Department Headquarters.

Section 7. There shall be such convention and standing commissions and committees as shall be provided in the Department By-Laws. They shall be appointed by the Department Commander and ratified by the Department Executive Committee. The Department Commander may also appoint such special committees as may appear necessary or desirable.

ARTICLE V

POST ORGANIZATION

Section 1. The local units shall be termed Posts, and no Post shall be received into this organization until it has received a charter. Those who desire to form a Post shall make an application for a temporary charter to the Commander of the Department of Washington. After a temporary charter has been in effect for a probationary period of at least ninety (90) days and not more than one year, an application for a permanent charter shall be made to the Department Executive Committee.

Section 2. The minimum membership for formation of a Post shall be fifteen qualified persons.

Section 3. No Post shall be named after any living person.

Section 4. Each new Post charter, when issued, shall be signed by the Department Commander and countersigned by the Department Adjutant.

Section 5. Any Post charter may be suspended, canceled, or revoked by the Department Executive Committee for the reasons and in the manner hereinafter provided. A Post under suspension shall not conduct any American Legion activities, except to collect and transmit annual dues to the Department Office or through MyLegion online.

- Section 6.** Each Post in the Department shall have its own Constitution and By-Laws provided the same is not in conflict with the National or Department Constitution and By-Laws. A copy of the Post Constitution and By-Laws shall be filed with the Department Headquarters. The Constitution and By-Laws will be considered effective upon the Post approving the Constitutions and By-Laws, pending compliance is verified by the Department Judge Advocate, and they have been endorsed by the Department Adjutant.
- Section 7.** Each Post shall elect or appoint and shall be officered by the following officers who shall be elected annually by the Post: Post Commander, Post Adjutant, Post Finance Officer, and other such officers as the Post deems necessary. Additionally, the Post Adjutant shall certify the eligibility of each office, this shall include the office elected to, full name, military service of eligibility, and dates of service.
- Section 8.** Members may be suspended or expelled from a Post and from The American Legion only upon proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty, conduct prejudicial to the good name of The American Legion, or conduct not becoming a member of The American Legion. All charges must be specific and made under oath, in writing and signed by the accuser. No member in good standing shall lose membership until given a fair trial by the elective officers and the Executive Committee of the Post of which that person is a member.
- Section 9.** Any officer of a Post, elective or appointive, may be reprimanded, suspended, or removed from office for any of the reasons herein above set forth as a basis for suspension or expulsion of members and by the same procedure.
- Section 10.** Each Post shall maintain its financial records in a manner that facilitates auditing and reflects best practices in financial accountability. Each Post shall maintain minutes of Post meetings. The Post Adjutant or Finance Officer shall maintain the membership records of the Post.
- Section 11.** As Post members pay their dues, the Post Adjutant, or Finance Officer, as specified in the Post By-Laws shall transmit the National and Department Cards and Per Capita to the Department Adjutant or through MyLegion as soon as ten (10) members' dues have been received, or within fifteen (15) days after the first receipt of a member's non-transmitted dues, whichever is the earlier date.

ARTICLE VI

DISTRICT ORGANIZATION

- Section 1.** The Department shall be divided into Districts composed of Posts of The American Legion as designated by the By-Laws.
- Section 2.** There shall be a District Commander and District Vice Commander in each District nominated prior to or at the district meeting provided in Section 6 of this Article, and they shall be elected at their District Spring Conference. The Convention may vote for the election of all District Officers at one time in the absence of objection. Such officers shall be members in good standing in a Post of the District in which they are respectively elected. They shall take office at the same time as the Department Commander.
- Section 3.** When a vacancy in the office of the District Commander occurs in any District for any reason other than as set forth in this Article, the Department Commander shall appoint as their successor for the unexpired term the District Vice Commander. If, however, the District Vice Commander is unable or refuses to assume such position, the Department Adjutant shall notify all Posts in the district of the need to hold a special election to be conducted no earlier than twenty (20) days nor later than thirty (30) days from the time of the vacancy.
- Section 4.** No District meeting shall have the right to take any legislative action or to bind the Department or District officers by any such action taken, and any action taken in any such meeting shall be considered as merely advisory.
- Section 5.** Each Post shall be entitled to one vote. The Post Commander or their designated representative will be the delegate of their post for District elections.
- Section 6.** At such District meeting to be held annually there shall be elected a District Commander and a District Vice Commander. The District Commander and District Vice Commander. The District Commander and District Vice Commander shall each serve for a period of one year. In the event that a District Commander or District Vice Commander are not nominated or elected at the Spring Conference, the Posts in such District will nominate and elect said positions during the Department Convention.

Section 7. The District Commander shall within five (5) days after adjournment of such meeting, certify, and forward to the Department Adjutant a certified copy of the name and address of the District Commander, District Vice Commander, and Delegate and Alternate Delegate to the National Convention nominated at such District Meeting.

Section 8. It shall be the duty of each District Commander or their appointee to visit each Post in the District not less than one time each year.

ARTICLE VII

AREA ORGANIZATION

Section 1. The Department shall be divided into four (4) Areas which shall be composed of Districts representing the Posts as determined by the Department By-Laws. Each Area will be represented by a Department Vice Commander from one of the Posts within the contained Districts.

Section 2. Area I shall include the First, Second, and Eleventh Districts.

Section 3. Area II shall include the Third, Fourth, Fifth, and Tenth Districts.

Section 4. Area III shall include the Eighth and Ninth Districts.

Section 5. Area IV shall include the Sixth, Seventh, and Twelfth Districts.

ARTICLE VIII

DEPARTMENT CONVENTION

Section 1. The legislative body of The American Legion, Department of Washington shall be the Department Convention to be held annually.

Section 2. The Annual Convention of the Department shall be held on such date as shall be determined by a preceding Department Convention and in the absence of such Convention action, by the Department Executive Committee, with exclusion of the period of time (7 days) prior to and following the beginning and ending of both Evergreen Boys State and Evergreen Girls State. A special Convention may be held upon joint call-in writing by the Department Commander and a majority of the Department Executive Committee or by 30% of the Posts. The same representation of Posts shall be required at a special Convention to constitute a quorum as is required at the regular annual Convention. No business shall be transacted at such special Convention except such as is set forth in the call.

Section 3. The annual Department Convention shall be composed of Delegates and Alternate Delegates from each Post of The American Legion in the Department of Washington. Each Post shall be entitled to two Delegates and two Alternate Delegates for the first fifty (50) members or less and shall be entitled to one additional Delegate and one additional Alternate Delegate for each additional fifty (50) members or major fraction thereof, for whom the current dues have been received by the Department Finance Officer thirty (30) days prior to the date of the meeting of the Department Convention.

Section 4. All Delegates and Alternate Delegates to the Department Convention shall be elected annually at a Post meeting and shall be certified to the Department Headquarters not more than 30 days nor less than 10 days prior to the next Department Convention. Certification to be made on forms furnished or prescribed by the Department.

Section 5. Each Delegate shall be entitled to one (1) vote.

Section 6. Members of the Department Executive Committee shall be ex-officio Delegates to the Department Convention but shall have no right to vote as a Delegate to the Convention unless duly elected as a Delegate by their respective Posts, in which event the members of the Department Executive Committee shall count as regular Delegates and a part of the quota of the Post electing them.

Section 7. All Past Department Commanders, while in good standing in their respective Posts, shall be members for life of the Department Executive Committee, without vote, and shall also be life delegates to all Department Conventions of The American Legion, with vote, to be exercised by them with their respective Posts.

Section 8. The Convention shall be the final judge of the election and qualification of the Delegates.

Section 9. A quorum shall exist at a Department Convention when 30% of the Posts are represented and their Delegates and Alternate Delegates have been certified to Department Headquarters.

- Section 10.** Alternate Delegates shall have all the privileges of Delegates except that of voting. An Alternate Delegate may vote only when the Delegate is absent.
- Section 11.** Each District shall nominate one Delegate and one Alternate Delegate to the National Convention. Such additional Delegates and Alternate Delegates to the National Convention to which the Department may be entitled shall be elected by the Department Convention, irrespective of geographical or other divisions.
- Section 12.** The Department Adjutant shall certify the Delegates as “in good standing” and so notify the applicable Post prior to the Convention.
- Section 13.** The Department Adjutant shall attest the number of certified Delegates registered from each Post before the Convention.
- Section 14. *District Caucuses:*** Within forty-eight (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, election of District Officers.
- Section 15. *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, Junior Past Department Commander, and National Executive Committeeperson (in office after the Department Convention elections of the current calendar year) and the Department Adjutant shall be designated as National Delegates.
 - b. The remaining authorized Delegate strength shall be apportioned to each of the twelve (12) Districts, based on District membership, by the Department Adjutant and with Department Commander approval.
 - c. Each District Commander and District 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 Alternate Delegates.
 - d. The Junior Past Department Commander shall be the Delegation Chairperson, with the authority to fill Delegate and Alternate Delegate 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 Junior Past Department Commander, the Department Commander shall act as the Delegation Chairperson.
 - e. The Department Adjutant shall act as the Secretary of the Delegation.

ARTICLE IX

DEPARTMENT OFFICERS

- Section 1.** The Department Convention shall elect a Department Commander, a Department Vice Commander for each area as set forth in Article VII of this Constitution, and one District Commander and one District Vice Commander for each District of the Department as set forth in Article VI, Section 8 of this Constitution. The District Commander and District Vice Commander for each District shall be elected upon nomination at a District meeting or by delegates from the District as provided above.
- Section 2.** All elected Department Officers of The American Legion, Department of Washington shall be installed at the closing session of the Department Convention, and they shall serve until their successors are elected and installed.
- Section 3.** The Department Convention held in even-numbered years shall elect a National Executive Committeeperson and an Alternate National Executive Committeeperson who shall hold office for two years. The National Executive Committeeperson and the Alternate Executive Committeeperson terms of office shall be limited to two consecutively elective terms of office each.
- Section 4.** No Department Officers shall hold the Chairpersonship of a standing Department Committee or Commission.

ARTICLE X

DEPARTMENT EXECUTIVE COMMITTEE

- Section 1.** The Executive and Judicial power shall be vested in the Department Executive Committee and between Department Convention, the Legislative power shall be vested in the Department Executive Committee, which shall be composed of the following: Department Commander, four (4) Department Vice Commanders, twelve (12) District Commanders, and the National Executive Committeeperson. In the absence of the District Commander, such vacancy shall be filled by the District Vice Commander and in the absence of the National Executive Committeeperson, such vacancy shall be filled by the Alternate National Executive Committeeperson.
- Section 2.** The Department Chaplain, Department Historian, and Department Sergeant-at-arms will be appointed, holding no vote, only voice, on the Department Executive Committee.
- Section 3.** All Past Department Commanders, while in good standing in their respective Posts within the Department shall be ex-officio members of the Department Executive Committee (without the right to vote) and shall be afforded all the courtesies of the floor of the Committee, with the privilege of making and seconding motions and of speaking on any motion or subject pending before the Committee but shall have no right to vote.
- Section 4.** The Department Executive Committee shall appoint a Department Adjutant and Department Service Officer and may appoint such other Officer's as necessary. All such officers appointed by the Department Executive Committee shall hold office at the pleasure of such Committee. The Department Executive Committee shall determine and prescribe the duties and powers of said officers and shall fix appropriate compensation for such officers.
- Section 5.** There shall be a Department Finance Commission consisting of four (4) members of the Department of Washington, and the Department Finance Officer. The members of such Department Finance Commission shall be appointed by the Department Commander and ratified by the Department Executive Committee at the post annual convention Department Executive Committee meeting. No member appointed to the Department Finance Commission shall hold any other Department office or appointment to a Department Standing Committee or Commission. The term of office shall be for three (3) years. As the term of office of each of the present members of the Department Finance Commission expires, the successor of each of the present members whose term is expiring shall be selected for a term of three (3) years. Vacancies in the Department Finance Commission shall be filled for the unexpired term. In the selection of the four (4) members of the Department Finance Commission, the members of the Department Finance Commission shall appoint a chairperson, and shall as far as be practical, distribute representation of the other said Department Finance Commission members among such geographical divisions of this department as may exist from time to time.
- Section 6.** The Department Executive Committee shall require from the Department Finance Commission a full and complete report at each regular meeting of the Department Executive Committee.
- Section 7.** The Chairpersons of the Department's standing Committees and Commissions shall be ex officio non voting members of the Department Executive Committee, with the privilege of speaking on matters pertaining to their respective Committees or Commissions.
- Section 8.** The Department Executive Committee shall have the power to fill vacancies in any Department office until the next Convention. The Department Executive Committee shall be empowered to transact all essential business of the Department not otherwise provided for in this Constitution or the Department By-Laws.
- Section 9.** A simple majority of the voting members of the Department Executive Committee shall constitute a quorum.
- Section 10.** The Department Executive Committee shall have the power to suspend the charter of any Post that violates the National or Department Constitution and By-Laws or fails to comply with requirements thereof or fails to discipline any of its members for such violation by following the procedure as set forth in the Uniform Code of Procedure for the Revocation, Cancellation, or Suspension of Post Charters of The American Legion.

Section 11. All officers of the Department and members of the Department Executive Committee shall be subject to charge and trial before the Executive Committee for the same causes and in the same manner as are Post members and Post officers as set forth above. They shall have the same right to appeal to the Department Convention as is provided for appeals per the Officer's Guide and Manual of Ceremonies.

ARTICLE XI

FINANCE

Section 1. The revenue of The American Legion, Department of Washington shall be derived from annual membership dues paid on a calendar year basis and from such other sources as may be approved by the Department Executive Committee.

Section 2. The amount of such annual Department Per Capita dues shall be determined by the Department Convention for the ensuing year.

Section 3. The amount of such annual National Per Capita dues shall be determined by each National Convention for the ensuing year.

Section 4. Dues paid for multiple years, but for less than life, shall all be paid at the rate of the annual dues for the first year of that term.

Section 5. The annual dues, both National and Departmental, shall be collected and transmitted per Article V, Section 15 of this Constitution.

Section 6. The Department shall purchase a fidelity bond or crime fidelity insurance covering all officers and employees who handle money, and such bond shall be in the amount approved by the Department Executive Committee and paid by the Department.

Section 7. The fiscal year of The American Legion, Department of Washington shall be from August 1st through July 31st.

Section 8. The Department Finance Commission shall prepare and submit to the Executive Committee for its approval of a recommended annual budget for the fiscal year. All proposals for expenditures of funds not included in the annual budget shall first be referred to the Department Finance Commission for its recommendation before the Department Executive Committee takes action.

Section 9. Finance Resolutions approved by the Department Executive Committee or Department Convention shall address the administration of the Department budget and finance procedures.

ARTICLE XII

AUXILIARY AND SUBSIDIARY ORGANIZATIONS

Section 1. The American Legion, Department of Washington recognizes an auxiliary organization known as "The American Legion Auxiliary".

Section 2. Membership in the Auxiliary shall be as prescribed in the National Constitution of The American Legion.

Section 3. The Auxiliary shall be governed in this Department of The American Legion by such rules and regulations as may be prescribed by the National Executive Committee and thereafter approved by the Executive Committee of this Department of The American Legion.

ARTICLE XIII

SONS OF THE AMERICAN LEGION

Section 1. The American Legion, Department of Washington shall recognize The Sons of The American Legion as a detachment of this Department. Membership in The Sons of The American Legion shall be governed by the National Constitution of The American Legion, and the National Constitution of The Sons of The American Legion.

Section 2. The American Legion, Detachment of Washington, shall operate under a Detachment Constitution and By-Laws approved by the Department Executive Committee.

- Section 3.** The American Legion, Detachment of Washington is under the supervision of and responsibility of the Department Executive Committee through the Department of Washington Sons of the American Legion (S.A.L.) Advisory Committee.
- Section 4.** The American Legion, Detachment of Washington funds shall be transmitted to the Department Finance Officer to be held and accounted for separately from other Department funds.
- Section 5.** The American Legion, Detachment of Washington will abide by National Sons of The American Legion Constitution and By-Laws for the creation, authorization, and organization of “Squadrons” that are sponsored by Posts in the Department of Washington.

ARTICLE XIV

MISCELLANEOUS

- Section 1.** All Post charters heretofore granted and in good standing on the date of the adoption of this Constitution are hereby ratified and confirmed.
- Section 2.** The National Constitution of The American Legion shall govern in the event any provision of the Department Constitution or By-Laws conflicts therewith.

ARTICLE XV

MASCULINE AND FEMININE GENDERS

Wherever in this Constitution and in the By-Laws, reference is made to the words “him,” “he,” “his,” and similar references shall be deemed to include, as appropriate, “her,” “she,” “hers,” and similar references, to the end that all distinction between the sexes, for purposes of this Constitution and By-Laws, shall be deemed eliminated.

ARTICLE XVI

DEFINITION OF MAILING

Mailing shall be considered as United States Postal Service (USPS) mailing, electronic mailing (e-mail), and other verified mail couriers (FedEx, UPS, DHL) as applicable.

ARTICLE XVII

AMENDMENTS

- Section 1.** This Constitution may be amended at any Department Convention by a vote of two-thirds of the total certified delegates present; provided that the proposed amendment shall have been submitted through the Department Adjutant to all Posts and to all members of the Department Executive Committee by mailing or electronically delivering the same to them at least thirty (30) days prior to the convening of the next Department Convention, and provided further, it may be amended by unanimous vote at any Convention without notice.
- Section 2.** This amended Constitution shall become effective immediately upon its adoption by the Department Convention.

BY-LAWS
THE AMERICAN LEGION, DEPARTMENT OF WASHINGTON

ARTICLE I

DEPARTMENT EXECUTIVE COMMITTEE

- Section 1.** The Department Executive Committee shall meet a minimum of three (3) times a year as noted in Section 6 of this article.
- Section 2. *Voting Members:*** The voting members of the Department Executive Committee shall be: The elected Department Commander, each Department Vice Commander, Each District Commander, and the National Executive Committeeperson.
- Section 3. *Non-Voting Members:*** The appointed Department Officers as well as the elected Alternate National Committeeperson shall be members of the Department Executive Committee with voice, but without vote.
- Section 4. *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, the following shall serve:
- a. *Department Commander:* Duties will be performed by the Department Senior Vice Commander.
 - b. *District Commander:* Duties will be performed by the District's Vice Commander.
 - c. *National Committeeperson:* Duties will be performed by the Alternate National Committeeperson.
- Section 5. *Privilege of the Floor***
- a. Past Department Commanders and Past National Executive Committeepersons shall be granted the privilege of the floor, but without vote.
 - b. Guests granted privilege of the floor shall be recognized by the Chair when no member of the Department Executive Committee wishes for the floor.
 - c. Non-privileged guests will be recognized at the discretion of the Chair.
- Section 6. *Regular Meetings:***
- a. There shall be three (3) regular Department Executive Committee meetings, at minimum, each year.
 - b. The first regular meeting of the Department Executive Committee shall be convened within 24 hours of the close of the Department Convention.
 - c. The second regular meeting of the Department Executive Committee shall be called the Midwinter Department Executive Committee Meeting and shall be scheduled in February at the time and location approved at the first regular meeting.
 - d. The third regular meeting of the Department Executive Committee shall be convened within the seventy-two (72) hours preceding the start of the Department Convention.
- Section 7. *Special Meetings of the Department Executive Committee:*** Special meetings of the Department Executive Committee may be called by the Department Commander or after a petition by eight (8) voting 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 (3) or more than ten (10) days after it is determined to have a special meeting.
 - b. Written notification, either physical or electronic, of the meeting 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 conference will be held.
 - c. Such notification shall include all written material, which is pertinent to the subject and shall be mailed or electronically delivered in such a way as to reach each member of the Department Executive Committee at least three (3) days prior to the date and time of the special meeting.
 - d. Any special meeting can be in-person, hybrid, or virtual, and 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.
- Section 8. *Department Executive Committee Quorum:*** A quorum for a Department Executive Committee meeting shall be a simple majority of the voting members.

Section 9. *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 set by the Department Executive Committee.

Section 10. *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 II

DUTIES OF DEPARTMENT OFFICERS

Section 1. *Department Commander:* The Department Commander shall be the Chairperson of the Department Convention, the Department Executive Committee, and an Ex-Officio member of the Department Finance Commission. The Department Commander, within 30 days of taking office, shall appoint the Chairperson and Vice Chairperson of the Department Commissions and Committees and shall fill all vacancies occurring in said Commissions and Committees, regardless of whether vacancies occur by expiration of terms or any other reason. The Department Commander will preside over all meetings of the Department Executive Committee and all sessions of the Department Convention. The Department Commander will represent the Department of Washington at Regional and National American Legion functions as required, and at other public functions within the Department of Washington.

Section 2. *Department Vice Commanders:* The Department Vice Commanders shall act as a representative of the Department Commander on all matters referred to them by the Commander, and shall, on the Commander's request, preside over the meetings of the Department Convention or Department Executive Committee and shall perform such other duties as are usually incident to the office. Department Vice Commanders will be standing members of the Department Membership Committee, attend the Midwinter Department Conference and Spring District Conferences within their applicable Area, coordinate activities to include training of the District and Post officers within the applicable area, and will hold a minimum of one (1) Area Workshop prior to Veterans Day. Additionally, the Vice Commander will conduct, at minimum, two (2) Area round table meetings with the District Commanders and District Vice Commanders of the applicable Area.

Section 3. *Department Adjutant:* The Department Adjutant shall be charged with the administration of the policies and mandates of the Department Convention and the Department Executive Committee. Between meetings of the Convention and Executive Committee, the Adjutant shall take direction from the Department Finance Commission. The Adjutant shall perform such other duties as are usually incident to the office. The Department Adjutant shall be the Chief Administrative Officer (CAO), subject to supervision by the Department Executive Committee 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 Headquarters, including Human Resource matters, in accordance with the approved Job Descriptions and Department Personnel Policy Manual. Duties include the hiring, supervision, and termination of non-officer Department Headquarters personnel.
- b. Maintain a permanent record of the Meeting 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 of Washington, including members in good standing, officers, and committee chairpersons.
- d. Shall attend all three (3) regular Department Executive Committee meetings.
- e. May be requested to attend the Spring Conferences throughout the Department of Washington.

Section 4. *Department Finance Officer:* The Department Finance Officer shall be the custodian of the funds of the Department. They shall sign all checks disbursing the funds of the Department and shall make reports on the condition of the Department Treasury when called for by the Department Commander. The Department Finance Officer shall furnish an insurance bond as prescribed in Article XI, Section 6 of the Department Constitution. They shall perform such other duties as are usually incident to the office. The Department Finance Officer shall be required to be the signatory on any checks in excess of \$5,000.

Section 5. *Department Judge Advocate:* The Department Judge Advocate shall advise the Department Officers and the Department Executive Committee on all legal matters, including the construction and interpretation of the Department Constitution and By-Laws, and shall perform such other duties as are usually incident to the office.

Section 6. *Department Chaplain:* The Department Chaplain shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by the National Headquarters from time to time.

Section 7. *Department Historian:* The Department Historian shall collect from year to year all records and data of value and interest for the Department Headquarters of The American Legion and shall compile during their term of office a complete history of the year's activities. The Department Historian shall also assist the National Historian and Post Historians so as to coordinate and unify the work of those officials and shall have such other duties as the Department Commander shall prescribe.

Section 8. *National Executive Committeeperson:* The National Executive Committeeperson shall represent the Department of Washington in the performance of those duties specified in the National Constitution and By-Laws and shall perform those duties specified in the Department By-Laws.

Section 9. *Alternate National Executive Committeeperson:* The Alternate National Executive Committeeperson shall remain abreast of those National and Department issues in which the National Executive Committeeperson is involved and shall stand ready to assume the duties of the National Executive Committeeperson when necessary.

Section 10. *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 11. *Department Service Officer:* The Department Service Office shall be responsible for preparing the Service Division budget; the operation of the 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 may also be requested to attend the Midwinter Conference and Spring District Conference.

ARTICLE III

ELECTION AND APPOINTMENT OF DEPARTMENT OFFICERS

Section 1. *Election of Department Officers:* The elected officers of this Department shall be: Commander; a Vice Commander for each Area; National Executive Committeeperson; and Alternate National Executive Committeeperson.

Section 2. A majority of the votes cast at the Department Convention is required to elect.

Section 3. The officers shall be elected by secret ballot; except in the event when only one nominee/candidate is put up for each office, 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 referred to in Section 2 of this Article.

a. 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 succession only, not a Department Officer position.

b. Vice-Commanders shall be elected by the delegates from the Area to which they will be elected to serve.

c. 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.

Section 4. *Nomination of Department Officers:* A nominating resolution from the Legionnaire's Post must be submitted to the Department Adjutant prior to the Department Convention, or a nomination may be made from the floor at the Department Convention by certified delegates, provided one of the following is received by 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 5. *Appointed Department Officers*

- a. The appointed officers of this Department shall be: Judge Advocate, Adjutant, Finance Officer, Assistant Finance Officer, Service Officer, Sergeant-at-arms, Chaplain, and Historian.
- b. Officers of the Department who are not elected to their positions shall be appointed by the Department Commander, and ratified by the Department Executive Committee 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. The Service Officer shall be appointed to a five (5) year term.
 - 4. The Department Finance Officer and Assistance Finance Officer shall be appointed for three (3) year staggered terms.
 - 5. The Sergeant-at-arms shall be appointed for a one-year term.
 - 6. The Chaplain shall be appointed for a one-year term.
 - 7. The Historian shall be appointed for a one-year term.

Section 6. *Department Officers Appointed as Administrative Employees*

- a. 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 Department Commander, ratified by the Department Executive Committee, 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 that was called for that purpose. Such a hearing shall transpire no more than twenty (20) days and no less than ten (10) days following the call for the meeting, and the employee shall have the opportunity to be heard.
- b. No employee of The American Legion, Department of Washington, appointed or administrative, may hold a voting position on the Department Executive Committee. If such an instance is to occur, the Legionnaire must resign from their voting position on the Department Executive Committee immediately.

ARTICLE IV

VACANCY IN OFFICE

Section 1. *Department Commander:* In the event of the death of the Department Commander, the inability, or the refusal of the Department Commander to serve, or the resignation of the Department Commander, the Senior Department Vice Commander will assume the duties of the Department Commander until such a time that the Department Judge Advocate shall call a meeting of the Department Executive Committee within thirty (30) days and preside over said meeting to declare the office vacant and elect a Department Commander to serve the remainder of the unexpired term. The newly elected Department Commander shall be installed as soon as possible.

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 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, either through physical mail or electronically.

Section 3. *Department Senior Vice Commander:* In the event of a vacancy in the office of Senior Department Vice Commander, there shall be an election by the Department Executive Committee to elect a new Senior Department Vice Commander from among the current Department Vice Commanders.

Section 4. In the event of the death of the National Executive Committeeperson, the inability, or the refusal of the National Executive Committeeperson to serve or the resignation of the National Executive Committeeperson, the Alternate National Executive Committeeperson shall automatically become the National Executive Committeeperson; and an Alternate National Executive Committeeperson shall be elected by the Department Executive Committee. Both shall serve the remainder of the unexpired terms of office.

Section 5. *Alternate National Executive Committeeperson:* In the event of a vacancy in the office of Alternate National Executive Committeeperson, the District Commanders shall nominate candidates for that office. The Department Adjutant shall provide all Post Commanders with a ballot listing those candidates and provide a space for a write-in candidate. The election of an Alternate National Executive Committeeperson to fill the remainder of the term shall be by a plurality vote of all ballots returned by the specified postmark deadline, either through physical mail or electronically.

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 (10) days. If an objection is registered in writing within ten (10) working days by eight (8) or more members of the Department Executive Committee, a special Department Executive Committee meeting shall be called for by the Department Commander for the purpose of confirming the appointment(s). The final result shall be ratified by the Department Executive Committee.

ARTICLE V

CHARTERS

Section 1. A charge that any Post should, for any good and sufficient cause, have its charter canceled, suspended, or revoked may be initiated by any intermediate body between the Post and the Department, or by any three Posts of the Department in which the Post accused is located or the Department Executive Committee. A charge may be withdrawn only with the consent of the Department Commander.

Section 2. All charter actions taken by the Department Executive Committee shall conform with the Uniform Code of Procedure for the Revocation, Cancellation or Suspension of Post Charters, Adopted by the National Executive Committee of The American Legion May 1-2, 1941, Indianapolis, Ind. Amended by that body November 6-7, 1941, and May 9-10, 2018.

ARTICLE VI

DISCIPLINE OF POST MEMBERS

Section 1. Each Post of The American Legion shall be the judge of its own membership subject to the restrictions of the Constitution and By-Laws, 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 remain a member of The American Legion.

Section 2. Members may be suspended or expelled from The American Legion, only upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of The American Legion. All charges must be specific and be made under oath in writing by the accuser, and no member in good standing shall lose membership until give a fair trial at the Post or Department levels in such manner and form as the Department Constitution and By-Laws and the Executive Committee shall prescribe.

Section 3. The trial of a member shall be held before the Executive Committee of the Post, the Commander presiding, and the presentation of evidence shall be governed generally by the same rules that prevail in the trial of civil actions in the courts of the State.

Section 4. Any member who has been suspended or expelled has the right to appeal to the Department Executive Committee. The Department Executive Committee may appoint a subcommittee of five (5) members to hear and make recommendations to the full Department Executive Committee for final adjudication. The decision of the Department Executive Committee is final.

Section 5. A member whose dues for the current year have not been paid by January 1st shall be classed as delinquent. If dues are paid on or before February 1st, reinstatement shall be automatic. If the dues are still delinquent after February 1st all privileges shall be suspended. If still under such suspension on June 30th of such year, membership in The American Legion shall be forfeited. A member so suspended or whose membership has been so forfeited may be reinstated to active membership in good standing by vote of the Post and payment of current dues for the year in which the reinstatement occurs. Provided, however, that the Post, Department, and the National organization may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with the reference to former members who have been prevented from the payment of dues by reason of active military service.

ARTICLE VII

MEMBERSHIP

Membership in The American Legion consists of membership in a local Post of The American Legion.

ARTICLE VIII

MONEYS AND COLLECTIONS

Section 1. In case of delinquencies in the payment of amounts due to the Department or National Headquarters, action shall be taken at once by the Department Commander to bring about a speedy and complete settlement.

Section 2. Department Headquarters shall, should it be deemed advisable, detail special auditors to investigate the membership rolls and financial statement of any Post.

Section 3. Annual per capita dues and fees shall be collected at the Post level or paid by the Post and transmitted to the Department or electronically through MyLegion. Canadian Posts in this Department may transmit their per capita dues and fees in Canadian Dollars. Membership cards shall not be accepted by the Department without the required dues and fees.

Section 4. National per capita dues are as established at the annual National Convention.

Section 5. 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, on the advice of the Finance Commission.

Section 6. *Honorary Life Membership Dues:* Honorary Life Membership dues 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.

ARTICLE IX

RESOLUTIONS

Section 1. Department of Washington policies, positions and programs are formulated by the adoption of resolutions approved by either the Department Executive Committee or the Department Convention.

Section 2. Resolutions shall originate at the Post level, in a Department Committee or Commission or on the floor at a Department Executive Committee meeting or Department Convention.

Section 3. Before the presentation or consideration of resolutions by the Department Executive Committee or Convention, all resolutions must first be considered by the Department Resolutions Committee and properly routed to the Committee or Commission having responsibility over the subject matter of the resolution. All resolutions involving finances shall be first referred to the Department Finance Commission.

Section 4. All resolutions pertaining to changing the Department Constitution and By-Laws shall be acted upon by the Department Convention.

Section 5. All other resolutions may be acted upon by the Department Executive Committee or Department Convention.

Section 6. All resolutions originating on the floor of a Department Executive Committee meeting or at the Convention will require a unanimous vote to suspend Section 3 of this article and all consideration of said resolution.

Section 7. *Post Approval:* Any resolution approved by a Post shall be in the proper format, including certification by the Post Adjutant and Post Commander as to the meeting date, location, and approval, then submitted to Department Headquarters not less than ninety (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 By-Laws. The start of the convention will be when the Convention is called to order and convened.

Section 8. *Department Action:*

- a. Each resolution will be numbered in the order in which it is 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 or electronically mailed to all Posts, Past Department Commanders, Past National Executive Committee members of the Department of Washington, and the Department Executive Committee members at least sixty (60) days prior to Convention.

Section 9. *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 By-Laws, Constitution, or Department Operating Procedures as applicable, as opposed to a resolution just describing the desired future continuing action.

Section 10. *Format:* Each resolution shall be in the format specified in the Department Operating Procedures

Section 11. *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 Chairperson 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 the Convention Committees or Commissions require a reading to the Convention Delegates at least twelve (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 X

STANDING COMMISSIONS AND COMMITTEES

Section 1. The standing committees provided for in Article IV, Section 7, of the Department of Washington Constitution shall consist of the following Commissions and Committees:

- a. **DEPARTMENT AMERICANISM COMMISSION:** The Department Americanism Commission shall be responsible for all the Americanism programs of the Department and of The American Legion. The following Committees shall have primary responsibility for the programs indicated by their names, and they shall be subject to and report to the Department Americanism Commission:

Department American Legion Baseball Committee
Department Scouting America Committee
Department Boy's State Committee

Department Education Committee
Department Junior Shooting Sports Committee
Department Oratorical Contest Committee
Department Special Olympics Committee

- b. DEPARTMENT CHILDREN AND YOUTH COMMISSION: The Department Children and Youth Commission shall be responsible for all the Children and Youth programs of the Department and of The American Legion. The following Committees shall have primary responsibility for the programs indicated by their names, and they shall be subject to and report to the Department Children and Youth Commission.
- c. DEPARTMENT FINANCE COMMISSION: The Finance Commission shall be charged with the preparation of the yearly budget and the handling of funds under the budget, and such other duties as shall be prescribed by the Department Executive Committee, subject to the approval of the Department Executive Committee. The Department Executive Committee shall appoint a Finance Commission of four (4) members and the Department Finance Officer, based on recommendations from their areas and nominations by the Department Commander. Members shall serve a term of three (3) years and shall not be from the same district. The Department Commander is an ex officio member of said commission. The Department Finance Officer shall be a member of the said commission. The Department Adjutant shall be ex officio secretary of the said commission.
- d. DEPARTMENT INTERNAL AFFAIRS COMMISSION: The Department Internal Affairs Commission shall be responsible for all the Internal Affairs activities of the Department and The American Legion in this Department; provided, however, that the following Committees shall have primary responsibility for the activities indicated by their names, and they shall be subject to and report to the Department Internal Affairs Commission:

Department Audit Committee
Department Color Squad
Department Public Relations Committee
Department Convention Committee
Department Resolutions Committee
Department Legion Riders Committee, to include POW/MIA issues
Department Sons of the American Legion (S.A.L.) Advisory Committee
Department Leadership Committee
Department Membership Committee
Department Credentials and Teller Committee
Department Membership, Post Activity, Post Organization, and Revitalization Committee
Department Trophies and Awards Committee

- e. DEPARTMENT LEGISLATIVE COMMISSION: The Department Legislative Commission shall be responsible for all legislative programs of this Department including working with the State Legislative and United States Congress to further the causes affecting veterans and veterans' families.
- f. DEPARTMENT NATIONAL SECURITY AND FOREIGN RELATIONS COMMISSION: The Department National Security and Foreign Relations Commission shall be responsible for all the National Security and Foreign Relations programs of the Department and of The American Legion. The following committees shall have primary responsibility for the programs indicated by its name, and it shall be subject to and report to the Department National Security and Foreign Relations Commission:

Department Law & Order Committee

Department Disaster Preparedness Committee
Department Spirit of Service Committee

- g. DEPARTMENT VETERANS AFFAIRS COMMISSION: The Department Veteran Affairs Commission shall be responsible for all the Veterans Affairs and Rehabilitation program and activities of the Department and of The American Legion. The following committees shall have primary responsibility for the programs and activities indicated by their names, and they shall be subject to and report to the Department Veterans Affairs Commission:

Department Rehabilitation/VAVS Medical Center Committee
Department Veterans Employment and Education Committee

Section 2. Each of the Commissions and Committees named in Section 1 of this Article shall be composed of seven members having staggered terms of two years each with the terms of three members expiring each odd-numbered year, and the terms of four members expiring each even-numbered year.

Section 3. The Chairperson and Vice Chairperson of each of the Commissions and Committees named in Sections 1 and 2 of this Article shall be appointed by the Department Commander from among the members of such Commission or Committee for a term of one year. The Department Commander shall have the power and authority to remove and/or replace any person as Chairperson or Vice Chairperson of such Commissions and Committees. The removal or replacement of any person shall be with ratification of the Department Executive Committee.

Section 4. The annual expiration date for members of Commissions and Committees whose terms of office are expiring, shall be the close of the annual Department Convention, except for the following:

- a. Department Finance Commission: Membership shall terminate at the opening of the Department Convention.
- b. Baseball Committee: Membership shall terminate after the Department Baseball teams have completed competition.
- c. Boys' State Committee: Membership shall terminate upon closing of the current Annual Boys' State Session or the Department Convention, whichever is later.
- d. Leadership Development Committee: Membership shall terminate at the closing of the current annual Legion College.

Section 5. The Department Commander and the Department Executive Committee may appoint Special Committees. The Special Committees may be assigned to report to a Commission. Convention Committees as needed may be appointed by the Department Commander.

Section 6. The Chairperson of the Commissions and Committees provided for in this Article shall be ex officio non-voting members of the Department Executive Committee as provided in Article X, Section 7, of the Department of Washington Constitution. The Chairperson of the Committees and Commissions provided for in this Article shall have the privilege of speaking on the subject of matters pertaining to their respective Committees and Commissions.

Section 7. Members of all Committees and Commissions with unexpired terms, when these By-Laws become effective, shall remain as members of the Committees and Commissions until their normal expiration dates.

ARTICLE XI

DISTRICT DELINEATION

Section 1. The Department shall be organized into Posts, which shall be grouped into twelve (12) Districts and four (4) Areas.

- a. The First (1st) 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 (2nd) 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 Highway 527 to State Highway 522, South of State Highway 524 within Snohomish County.

- c. The Third (3rd) 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 (4th) District shall include the Counties of Mason, Thurston, and that portion of Pierce County not located on the Kitsap Peninsula, except that area 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).
- e. The Fifth (5th) District shall include the Counties of Clark, Cowlitz, Skamania, Wahkiakum, and that portion of Klickitat County lying west of the 121 Degree West Longitude Line.
- f. The Sixth (6th) District shall include the Counties of Kittitas, Yakima, and that portion of Klickitat County lying East of the 121 Degree West Longitude Line.
- g. The Seventh (7th) District shall include the Counties of Asotin, Garfield, and Whitman.
- h. The Eighth (8th) District shall include the Counties of Lincoln, Pend Oreille, Spokane, Stevens, and the northerly portion of Adams County extending from a line three miles south of Highway I-90.
- i. The Ninth (9th) District shall include the Counties of Chelan, Douglas, Ferry, Grant, and Okanogan.
- j. The Tenth (10th) District shall include the Counties of Grays Harbor, Lewis, and Pacific.
- k. The Eleventh (11th) 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 of State Highway 527 to State Highway 522, South of State Highway 524 within Snohomish County.
- l. The Twelfth (12th) District shall include the Counties of Benton, Columbia, Franklin, Walla Walla, and the southerly portion of Adams County extending from a line three miles south of Highway I-90.
- m. The Second (2nd), Third (3rd), Eighth (8th), and Ninth (9th) 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.

Section 2.

- a. The First, Second, and Eleventh Districts share King County
- b. The Third and Fourth Districts share Pierce and Mason Counties
- c. The Fifth and Sixth Districts share Klickitat County
- d. The Eighth and Twelfth Districts share Adams County.
- e. All other counties are completely within a single District.

ARTICLE XII

DISTRICT OFFICERS AND OPERATIONS

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 By-Laws of the District.
- b. District Commanders and District 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 current District Commander and a copy provided to the 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 an election at the District 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 then notify each Post Commander in that District.

Section 3. *District Commander Duties:*

- a. Present required appointments in writing within thirty (30) days of election 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 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 above duties, except that the total amount shall not exceed that which is specified within the approved Department Budget.
- d. Be responsible for membership programs within the applicable District.
- e. Ensure that minutes are kept of each meeting of that District and provided to each Post Commander within that District within thirty (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, By-Laws, and Standing Rules, provided, they do not conflict with the Constitution or By-Laws of either the Department of Washington or The National American Legion. Said Constitution, By-Laws, and Standing Rules shall be reviewed upon submission or revision by the Department Judge Advocate for compliance, as required by this Section and further endorsed by the Department Adjutant.

Section 5. *District Conferences:*

- a. A Spring Conference shall be scheduled for each District to be completed by May 1st. 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.
- b. Each Post within the applicable District shall be entitled to one (1) vote, to be cast by the Post Commander, or Post Commander appointed representative, in their 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 XIII

DEPARTMENT OPERATING PROCEDURES

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 within the Department By-Laws and shall publish all 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 By-Laws.

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

Section 4. *Ratification of Department Operating Procedures:* All Department Operating Procedures shall be ratified during the annual Department Convention by the voting members of the Department of Washington.

ARTICLE XIV

DEPARTMENT PUBLICATIONS

An official Department publication, to be edited as directed by the Department Executive Committee, is authorized. Such a publication is owned and controlled by the Department and is intended to disseminate information to every member of the Department of Washington.

ARTICLE XV

PARLIAMENTARY AUTHORITY

The current edition of Robert's Rules of Order Newly Revised shall guide all meetings in The American Legion Department of Washington, when not in conflict with the Department Constitution and By-Laws or Post Constitution and By-Laws.

ARTICLE XVI

AMENDMENTS

Section 1. The By-Laws may be amended by any Department Convention of The American Legion by the vote of sixty percent (60%) of the registered and certified Delegates, provided that the proposed amendment shall have been read at said Convention at least twenty-four (24) hours before the vote thereon or that proposed amendment shall have been submitted through the Department Adjutant to all Posts and all members of the Executive Committee by mailing same to them at least thirty (30) days prior to the convening of the next Department Convention.

Section 2. This amended By-Laws shall become effective immediately upon its adoption by the Department Convention.

Section 3. Proposed amendments from Posts will be submitted in resolution format that shows the current text to be amended as it is written prior to 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 no later than ninety (90) days prior to the Department Convention at which it is to be considered.

Section 4. The Department Adjutant shall mail all proposed amendments to all Posts, Past Department Commanders, Past National Executive Committeeperson's of the Department of Washington, and members of the Department Executive Committee at least sixty (60) days prior to the start of the Department Convention.

Section 5. Proposed amendments may be changed by a two-thirds vote of the registered and certified Delegates voting at the Department Convention, provided it does not change the intent of the amendment.

Section 6. Resolutions revised by the Convention Committee must be read to the Convention Delegates at least 12 hours prior to the vote, with copies made available prior to the vote.

Section 7. Only amendments to these By-Laws, which have been processed as specified in this Article, may be considered for approval.

Section 8. *Publication of Revised By-Laws:* Within thirty (30) days following the conclusion of the Department Convention, the Department Adjutant shall have the revision which includes the amendments acted on and approved by the Department Convention prepared in a 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 sixty (60) days following the Department Convention, the Department Adjutant shall mail one copy of the revised By-Laws to each member of the Department Executive Committee, all Past Department Commanders, all Past National Executive Committeemen of the Department of Washington, each District Commander, and two copies to each Post Adjutant. In addition, copies shall be available in the Department Headquarters to be sent to any member of the Department requesting the same.

District Delineation Map:

LOCATION OF THE 12 DISTRICTS

