

DEPARTMENT OF MICHIGAN
CONSTITUTION

Amended July, 2023

ARTICLE I - NAME

The name of this organization shall be American Legion Auxiliary, Department of Michigan.

ARTICLE II - PURPOSE

SECTION 1. The purpose of this organization shall be to assist the American Legion in the accomplishment of its objects and purposes and to fulfill the purposes of the American Legion Auxiliary.

SECTION 2. The American Legion Auxiliary is a civilian organization. Each member shall perform their full duty as a citizen according to their own conscience and understanding and according to the Constitution of the United States and the Constitution of the American Legion Auxiliary.

SECTION 3. The American Legion Auxiliary shall be absolutely non-political and shall not be used for the dissemination of partisan principles nor for the promotion of the candidacy of any person seeking public office or preferment.

SECTION 4. The American Legion Auxiliary Department of Michigan shall not be a member of, or affiliated with, any organization, committee, association, council or group, whereby the American Legion Auxiliary might be committed to a policy contrary to that adopted by The American Legion.

ARTICLE III - ELIGIBILITY AND MEMBERS

SECTION 1. Eligibility for membership in the American Legion Auxiliary is determined by The American Legion. The eligibility requirements from The American Legion governing documents shall be provided as a footnote to this Constitution for information purposes and shall be updated as appropriate.

SECTION 2. There shall be two classes of membership; senior and junior.

- (a) Senior membership shall be comprised of members age eighteen (18) or older; provided, however, a member eligible under Section 1 of this article and who is under the age of eighteen (18) years and married shall be classified as a Senior member.
- (b) Junior membership shall be comprised of members under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age

of eighteen years, Junior members shall automatically be admitted to Senior membership with full privileges.

- (c) Dues shall be paid annually or for life.

Eligibility Footnote

Membership in the American Legion Auxiliary shall be limited to the:

1. Grandmothers, mothers, sisters, spouses and direct and adopted descendants of members of the American Legion; and
 2. Grandmothers, mothers, sisters, spouses, and direct and adopted female descendants of all men and women who served in either of the following periods: April 6, 1917 to November 11, 1918 and any time after December 7, 1941, who being a citizen of the United States at the time of their entry therein served on active duty in the Armed Forces of any of the governments associated with the United States during either eligibility periods and died in the line of duty or after honorable discharge;
 3. Grandmothers, mothers, sisters, spouses and direct and adopted female descendants of all of the men and women who were in the Armed Forces of the United States during either of the following periods: April 6, 2017 to November 11, 2018; and any time after December 7, 1941 who served on active duty in the Armed Forces of the United States during either eligibility period and died in the line of duty or after honorable discharge; and
 4. To those women who of their own right are eligible for membership in The American Legion.
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ARTICLE IV – DEPARTMENT OFFICERS

SECTION 1. The officers of this organization shall be: President, First Vice President, Second Vice President, Secretary-Treasurer, Chaplain, Historian, National Executive Committee member and the District Presidents.

(a) The Department President, First Vice President, Second Vice President, Chaplain and Historian shall be elected annually at the Department Convention.

(b) The Department President shall nominate the Department Secretary-Treasurer and they shall be elected by the Department Executive Committee at the post-convention Executive Committee meeting.

(c) The retiring Department President shall be declared elected as National Executive Committee member for the year immediately following the term as Department President. If the retiring Department President is unable to serve as National Executive Committee member for the year immediately following the term as Department President, a Past Department President shall be elected to serve the term.

(d) The incoming Department President shall be declared elected as Alternate National Executive Committee member for the year of the term as Department President.

SECTION 2. All officers elected at the Department Convention shall take office immediately following installation at the Department Convention. Each officer shall serve until their successor shall be elected.

SECTION 3. In the event of death or resignation of the Department President, the First Vice President shall automatically succeed to the office of President. The Second Vice President shall automatically succeed to the office of First Vice President. In the event of succession, if the unexpired term is less than six (6) months, they shall be eligible for election to that office the next year. Vacancies in the office of Chaplain or Historian shall be filled by the Department President, to be ratified by the Executive Committee by mail or email vote.

ARTICLE V – DEPARTMENT EXECUTIVE COMMITTEE

SECTION 1. Between the Department Conventions, the administrative power shall be vested in the Executive Committee which shall be composed of the Department officers, the National Executive Committee member and the Past Department Presidents.

SECTION 2. Each Past Department President shall be a member of the Executive Committee with vote but without expenses as long as they remain a member in good standing of a duly chartered Auxiliary Unit in the Department of Michigan.

SECTION 3. There shall be regular meetings of the Executive Committee annually. The first shall be held by the incoming President immediately following the Convention, the second shall be held immediately preceding the Fall Conference; the third at the call of the Department President, if necessary, and the final shall be held in the Convention City immediately preceding Convention. Meetings of the Department Executive Committee shall be open except when the Department Executive Committee is meeting in executive session.

SECTION 4. The Department President shall call a special meeting upon written request of eleven (11) members of the Department Executive Committee. The meeting shall be called within ten (10) business days of the request.

SECTION 5. Seventeen (17) members shall constitute a quorum of the Department Executive Committee.

ARTICLE VI – DEPARTMENT CONVENTION

SECTION 1. The Legislative Body of this organization shall be a Department Convention and may be held at the same time and in the same city as the Convention of The American Legion, Department of Michigan.

SECTION 2. The Annual Convention shall be composed of delegates and alternates qualified as follows:

- (a) Delegates and Alternates shall have paid their National and Department dues for the current year to Department Headquarters not less than thirty (30) days prior to the Convention.
- (b) Delegates and Alternates must be eighteen (18) years of age, except as provided in Article III Section 2 (a).
- (c) Delegates and Alternates must be elected at a Unit meeting duly called for the purpose not less than thirty (30) days prior to the opening of the Convention; notice of said meeting having been given no later than two (2) weeks prior to election.
- (d) Alternates shall have priority in order of election.

SECTION 3. Each Unit of ten (10) or more members shall be entitled to one (1) delegate and one (1) additional delegate for everyone hundred (100) members of major fraction thereof.

- (a) Units may send Delegates or Alternates only if they have paid their mandatory funds for the current year to Department Headquarters not less than thirty (30) days prior to Convention.
- (b) Units will be permitted to vote from the floor only if they have complied with all mandates and are represented by at least one (1) Delegate or Alternate.
- (c) Units organized during the year (after July 1st) will be given the privilege of the Convention floor.

SECTION 4. All elected and appointed Department Officers, all members of Department Standing Committees, the Hospital Representatives and their First Deputies of the VA Hospitals, Michigan Veterans Home for Veterans, D. J. Jacobetti Home for Veterans, the Chesterfield Home for Veterans, and all non-VA Hospital Chairmen and their First Deputies shall be Delegates-at-Large to the annual Convention and entitled to vote.

SECTION 5. All Past Department Presidents, as long as they remain members in good standing in a Unit in this Department, shall be Delegates-at-Large to the annual Convention and entitled to vote.

SECTION 6. A quorum shall exist at Department Convention when there are present nine (9) or more Districts wholly or partially represented.

ARTICLE VII - PARLIAMENTARY AUTHORITY

SECTION 1. This Department organization shall be governed by the current edition of "Robert's Rules of Order, Newly Revised", in all questions not covered by the National and the Department Constitution.

ARTICLE VIII - AMENDMENTS

SECTION 1. This Constitution may be amended at any Department Convention by a vote of two-thirds ($\frac{2}{3}$) of the delegates present and voting, provided the proposed amendments be written in resolution form and shall have been submitted through the Department Secretary- Treasurer to the Units and members of the Department Executive Committee by mailing and/or emailing same to them at least forty-five (45) days prior to convening of the next Department Convention; and provided further, that all proposed resolutions shall be read at a regular meeting of the Convention.

SECTION 2. Necessary amendments proposed after distribution or revision as shown in Section 1, may be adopted by a two-thirds ($\frac{2}{3}$) vote of the delegates present and voting, provided they have been read at one (1) meeting of the session prior to taking the vote.

SECTION 3. An amendment not having been previously read or distributed as required in Section 1, may be adopted by the unanimous vote of the delegates present and voting.

SECTION 4. Triplicate copies of the amendments pertaining to the Constitution shall be in Department Headquarters not later than sixty (60) days prior to the opening of the Department Convention.

SECTION 5. This Constitution shall automatically be amended to conform to the National Constitution and Bylaws and in such Standing Rules as have been duly adopted and set forth in the Unit Guide Book of the American Legion Auxiliary.

