

Resolution #20-9

Title: Cancellation of 2020 American Legion Convention in Kalamazoo, Michigan

WHEREAS, Resolution No. 3 voted by the National Executive Committee by unanimous vote Titled Cancellation of 2020 American Legion Convention in Louisville, Kentucky and Awarding of 2026 National Convention strongly urges all Departments to follow a similar course of action, to-wit: (1) cancel their 2020 conventions and elections; and (2) maintain the status quo of their officers until next year; and

WHEREAS, Article XII, Section 1 of the Constitution of The American Legion, Department of Michigan calls for a Department Convention to conduct business of the Department. The Department Convention shall be held at a time and place to be fixed by vote of the Convention, at a minimum of two years in advance, or in case the preceding Convention does not fix a suitable time and place, these shall be fixed by the Department Executive Committee; and

WHEREAS, Article , IX of the Bylaws of The American Legion, Department of Michigan states The Department shall be governed by the Department and National Constitution and By-Laws and amendments thereto, by the mandate of the Department Convention and any such miscellaneous rules as may, from time to time, be ordered by the Department Executive Committee; and

WHEREAS, The United States of America and the world in general are currently experiencing a pandemic associated with the spread of Coronavirus (COVID-19) therefore causing communities, cities, states and the federal government to enact unprecedented emergency actions in order to contain and combat the impact and risks of spreading the COVID-19; and

WHEREAS, Upon the recommendations of the United States President, the Centers for Disease Control (CDC) and World Health Organization (WHO) the emergency actions taken include, but are not limited to, restriction of mass gathering sizes, restrictions on unnecessary travel, closure of restaurants and other public gathering spaces, implementation of "social distancing" guidelines and an overall emphasis on personal hygiene and virus/germ abatement actions; and

WHEREAS, Numerous departments of The American Legion are contemplating the cancellation or postponement of their own Department Conventions, the primary purpose of which is to conduct the business of the department and elect officers and elect/appoint delegates to the national convention; and

WHEREAS, Governor Whitmer has declared a state of emergency pursuant to Executive Order 2020-4; and

WHEREAS, under Executive Order 2020-4, the state of emergency is to continue until any effects of the emergency conditions no longer exist; and

WHEREAS, Governor Whitmer, has directed in Executive Order 2020-21, that in order to suppress the spread of COVID-19, that all individuals currently living within the State of Michigan are ordered to stay at home or at their place of residence, and all public and private gatherings of any number of people occurring among persons not part of a single household are prohibited; and

WHEREAS, under Executive Order 2020-21, no person or entity shall operate a business or conduct operations that require workers to leave their homes or places of residence except to the extent that those workers are necessary to sustain or protect life or to conduct minimum basic operations; and

WHEREAS, The Preamble to the Constitution of The American Legion states that we will maintain law and order; and

WHEREAS, Michigan Legislature on April 7, 2020 extended the Executive Orders until April 30, 2020, but states that they will evaluate the continuing need for this order prior to its expiration; and

WHEREAS, The Governor of Michigan signed the extension legislation on April 9, 2020; and

WHEREAS, A gathering of the members of The American Legion at the Department Convention in Kalamazoo, Michigan would be in conflict with the imposed restrictions set by local, state and federal authorities and therefore place our members at an unnecessary health, safety and medical risk; and

WHEREAS, Resolutions 20-7 and 20-8 do provide for alternate means to hold the Department Convention and Elections at all levels of the Department, however, after running some trial runs the Advisory Committee to the Department Commander believes that an electronic meeting with potentially hundreds of members attending would be difficult to control and impossible to record proper minutes of the meeting; and

WHEREAS, The Advisory Committee to the Department Commander has thoroughly discussed the situation, weighed all options, and determined that the course of action herein recommended is the correct and prudent course for The American Legion, Department of Michigan at this time; now therefore be it

RESOLVED, By the Department Executive Committee of The American Legion, Department of Michigan that due to the uncertainty of the duration of the disease known as Coronavirus (COVID-19), the numerous government regulations being enforced to contain it and concern for the safety of all members of the American Legion Family, the American Legion, Department of Michigan Department Executive Committee agrees that present circumstances constitute sufficient reasons to cancel the 2020 American Legion Department Convention; and, be it further

RESOLVED, That due to these serious and sufficient reasons, the following American Legion, Department of Michigan events in Kalamazoo, Michigan are cancelled: (1) the Pre-Convention Department Executive Committee meeting scheduled for June 25, 2020; (2) The American Legion, Department of Michigan 2020 Department Convention scheduled for June 26 - 28, 2020; (3) the Post-Convention Department Executive Committee meeting scheduled for June 28, 2020; and (4) all regular- scheduled department standing and convention committee meetings that would have been held in Kalamazoo; and, be it further

RESOLVED, That all department elected and appointed officers, to include but not exclusive too, Commander, Zone Commanders, Judge Advocate, Assistant Judge Advocate, Chaplain, Historian, Finance Officer, Sargent at Arms and Assistant Sargent at Arms continue serving in their current positions until the close of the next Department Convention scheduled in Sault Ste Marie, Michigan from July 8 — 11, 2021; and, be it further

RESOLVED, That all department committee chairpersons, District Commanders, Alternate District Commanders and the current committee members continue serving in their current positions until they resign or are either reassigned or reappointed at the first Department Executive Committee meeting after the 2021 Department Convention; and, be it further

RESOLVED, That the Department Executive Committee retain their current member of the NEC

until the post-Convention meeting of the NEC at the Phoenix, Arizona, National Convention on September 2, 2021; and, be it further

RESOLVED, That any resolutions needing to come before the American Legion, Department of Michigan, Department Executive Committee may be brought forth to the Department Executive Committee and subsequently considered and voted on by video meetings, electronic mail or any other allowed means prior to the 2020 Fall Meetings in Flint, Michigan; and, be it further

RESOLVED, That the Grand Rapids Convention Corporation be given preferential treatment for consideration of the awarding of a bid for the 2022 convention in Kalamazoo; and be it finally

RESOLVED, That due to numerous health and safety reasons and needs of our members, the American Legion National Executive Committee and The American Legion, Department of Michigan, Department Executive Committee strongly urges that the Detachment of Michigan, Sons of The American Legion, the Department of Michigan, American Legion Auxiliary and all American Legion, Department of Michigan Districts and Posts follow a similar course of action, to-wit: (1) cancel their 2020 conventions and elections; and (2) maintain the status quo of their officers until next year, or if a vacancy occurs to fill the vacancy by a vote of the executive board by phone, electronic means or at the first in person meeting.