The American Legion
Department of Michigan

Constitution
Constitution revised at the 2019 Annual Convention

Article I

PREAMBLE

For God and Country, we associate ourselves together for the following purposes:

To uphold and defend the constitution of the United States of America;

To maintain law and order;

To foster and perpetuate a one hundred percent Americanism;

To preserve the memories and incidents of our associations in the Great Wars;

To inculcate a sense of individual obligation to the community, state and nation;

To combat the autocracy of both the classes and the masses;

To make right the master of might;

To promote peace and good will 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 II

NAME

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

Section 2: The objects of this organization are as set forth in the Constitution.

By-Laws

Revised at the 2019 Annual Convention

Article I

NAME

Section 1: The organization existing under these By-Laws is to be known as: The American Legion, Department of Michigan.

Section 2: The objects of this organization are as set forth in the Constitution.

Article II

ELIGIBILITY TO OFFICE

Section 1: Any paid-up member in good standing of a Post in the Department of Michigan may be elected to any office in the Department or any of the Posts thereof, except as otherwise provided herein.

Section 2: No person shall be eligible for any office in The American Legion, Department of Michigan, or any of the Posts thereof, nor if elected, shall such person continue to hold such office, unless within thirty (30) days after such election such person shall have furnished proper and satisfactory evidence of honorable service complying with Article IV, Section 1 of the Constitution, to the Department Adjutant, in the case of Departmental officers, District Commanders and Alternates, and to the Post Adjutant in the case of Post Officers. Department and Post Commanders shall examine the evidence of eligibility of their respective Adjutants.

Section 3: All questions affecting the election, eligibility and conduct of Department officers, District Commanders and Alternates shall be referred to and determined by the Department Executive Committee as the final authority thereon.

Section 4: Except Department Executive Committee members, all officers of District Associations, County Councils, City Councils and Posts in this Department shall be elected as provided by the Constitution and By-Laws of each organization, respectively.

NATURE

Section 1: The American Legion, Department of Michigan, is a civic organization.

Section 2: Except Department Executive Committee members, all officers of District Associations, County Councils, City Councils and Posts in this Department shall be elected as provided by the Constitution and By-Laws of each organization, respectively.

Section 3: All questions affecting the election and eligibility of any of the above-named officers shall be referred to and determined by the Department Executive Committee as the final authority thereon.
Section 3: Wherever, in this Constitution and By-Laws, reference is made to the words “him”, “he”, “his” and similar references; it shall be deemed to include as appropriate, “her”, “she”, “hers” and similar references, to the end that all distinction between the male and female sections of this Constitution and By-Laws, shall be deemed eliminated. Gender shall not be held as a qualification for office, and women may be elected or appointed to any office or position; and the use of the masculine pronoun shall be held to include the feminine.

Article III

DEPARTMENT EXECUTIVE COMMITTEE

Section 1: There shall be five (5) annual meetings of the Department Executive Committee. The second (2nd) and fourth (4th) meeting of the Department Executive Committee shall be held on or before the first and third (3rd) Monday of January, respectively, and no more than fifty-five (55) days, of the adjournment of the Department Annual Convention provided, however, that the Department Commander shall have authority to extend said forty-five (45) day period for sufficient reasons to the Commander appearing, upon approval of the Department Executive Committee.

Section 2: The first (1st) meeting of the Department Executive Committee shall be held in the first (1st) Monday in May, at a place and time to be determined one (1) year in advance by the Department Executive Committee when assembled in Fall Conference, upon the recommendations of the Permanent Time and Place Committee.

Section 3: Wherever, in this Constitution and By-Laws, reference is made to the words “him”, “he”, “his” and similar references; it shall be deemed to include as appropriate, “her”, “she”, “hers” and similar references, to the end that all distinction between the male and female

Section 4: There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life.

Section 5: Eligibility to membership in The American Legion shall be as prescribed by the National Constitution of The American Legion.

Section 6: No person may be a member at any one time of more than one Post.

Section 7: All applications for membership must be in writing; the regular form of membership application and, in addition thereto, present for examination by a duly qualified officer of the Department Adjutant with ten (10) days after the filing of the petition with the Adjutant. In case a meeting convenes upon petition, the same shall be called by the Department Adjutant, setting forth the reasons therefor.

Section 8: Notice of all meetings shall be given not less than five (5) days before any such meeting. The second (2nd) and fourth (4th) meeting of the Department Executive Committee shall take place within twenty-four (24) hours of the conclusion of the annual Department Convention.

Section 9: The Commander may require members of the Department Executive Committee to attend meetings of the Post, or may appoint Post members to attend meetings of the Committee. The Commander may call any meeting of the Department Executive Committee at any reasonable time, and when all the members have returned their votes. In the event one-third (1/3) members of the
Section 7: No person who is a member of an organization which has for its aim to overthrow 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 10: A quorum shall exist at any meeting of the Department Executive Committee when a majority thereof shall be present, or shall have replied to letter, telegram and/or fax or such other electronic conveyance.

General Organization

Article IV

Administrative Committee

Section 1: The American Legion, Department of Michigan is a constituent part of and subordinate to The American Legion, a Federal Corporation organized by Act of Congress. The American Legion, Department of Michigan shall have the authority of the Executive Committee between meetings of such committee.

Section 2: The American Legion, Department of Michigan shall be organized in Posts. No person may become or remain a member of the Department except through membership in a Post therein.

Section 3: The Administrative Committee shall meet only upon call of the Department Commander and its actions shall be reported to the Department Executive Committee at its next meeting thereafter.

Department Officers

Article V

Section 1: Department Commander shall be the chief executive officer of the Department and shall be vested with all executive, legislative, and judicial powers and shall be responsible for the business of the Department. The Commander shall preside at the Annual Convention and at all meetings of the Executive Committee and shall be the ex-officio President of the Finance/Personnel Committee, subject to the approval of the Department Executive Committee. The Commander shall be empowered and directed to do such acts as may be necessary and proper to conduct the business of the Department. The Commander shall preside at the Annual Convention and at all meetings of the Executive Committee.

Section 5: Between Department Conventions all executive, legislative and judicial powers may be vested in the Department Executive Committee and such subordinate units as may be thereafter described and may be exercised by any officer as hereinafter provided.

Section 6: Bylaws shall be adopted for the government and regulation of the Department and shall be the codification of the rules and regulations of the Department, organized and there may be special conventions called as hereinafter provided.

Section 7: The Department Commander and its actions shall be reported to the Department Executive Committee at its next meeting thereafter.

Article VI

Department Organization

Section 1: Past Commanders: Each retiring Commander shall, upon the installation of his successor, become a Past Commander and shall continue to serve as such until the annual adjournment of the Department Convention. Each past Commander shall have, if present, all the rights of a Delegate in the affairs of the Convention provided he remains a member in good standing in the Post wherein he resided while a Commander.
Section 2: The Executive Committee of the Department shall consist of the officers of the Department, the immediate Past Department Commander and National Executive Committee, the Department Veterans Affairs and Rehabilitation Director, Department Service Officers, the Department Membership Director and the Department Public Relations Director. The Post will operate under such temporary charter with all privileges of a Post, but shall be subject to the approval of the Department Executive Committee. The Adjutant shall be the custodian of and shall cause to be kept all official Department records. The Adjutant shall perform all necessary clerical acts necessary to conduct the business of the Department. The Adjutant shall receive all dues and monies from Posts, keep a full and complete record of all transactions, including receipts and disbursements, and shall exhibit all records when requested to do so by any Department Officer upon a probationary basis for a period of six months. Upon fulfillment of all of its Post and Department obligations and duties to the satisfaction of the Department Executive Committee, the Adjutant shall be reimbursed for actual traveling expenses while in the performance of the necessary duties of the office.

Section 3: Department Vice Commanders shall perform such duties as may be required of them by the Department Commander or the Department Executive Committee. The Adjutant shall be the custodian of the funds of the Department. The Adjutant shall be the chief administrative officer of the Department, the immediate Past Department Commander and National Executive Committee, the various Districts shall be grouped into "Zones." The Vice Commander representing each "Zone" shall represent the Department in the Districts comprising the "Zone" from which they were elected, and it shall be their duty to attend all District Conventions within their "Zone" as otherwise provided. The Adjutant shall perform all necessary clerical acts necessary to conduct the business of the Department. The Adjutant shall receive all dues and monies from Posts, keep a full and complete record of all transactions, including receipts and disbursements, and shall exhibit all records when requested to do so by any Department Officer upon a probationary basis for a period of six months. Upon fulfillment of all of its Post and Department obligations and duties to the satisfaction of the Department Executive Committee, the Adjutant shall be reimbursed for actual traveling expenses while in the performance of the necessary duties of the office.

Section 4: Department Adjutant shall be the chief administrative officer of the Department. The Adjutant shall be the custodian of the funds of the Department. The Adjutant shall perform all necessary clerical acts necessary to conduct the business of the Department. The Adjutant shall receive all dues and monies from Posts, keep a full and complete record of all transactions, including receipts and disbursements, and shall exhibit all records when requested to do so by any Department Officer upon a probationary basis for a period of six months. Upon fulfillment of all of its Post and Department obligations and duties to the satisfaction of the Department Executive Committee, the Adjutant shall be reimbursed for actual traveling expenses while in the performance of the necessary duties of the office.

Section 5: Department Finance Officers shall be the application of the application of the Post or the Department of Michigan, and is not an employee of the Department of Michigan. If a Past Department Commander shall become an employee of the Department, he shall waive his voting right as a Delegate and shall continue to waive his voting right so long as he remains an employee. The vote of each Past Department Commander, except as stated above, shall be provided. The Department Commander shall serve as the Chairman of the Department announced with the vote of the District in which his Post is located.
Section 4: Post Charters shall be countersigned by the Department Commander and the Department Adjutant.

Section 5: No Post shall be named after any living person.

Section 6: Department Judge Advocate shall advise the officers of the Department upon all matters pertaining to the administration of the law of the United States, of the State of Michigan, and shall perform such other duties as may be required of him by the Commander, subject to the approval of the Department Executive Committee.

Section 7: Historian shall prepare a history of this Department during the term of office and shall submit such history to the Department Convention. The Historian shall collect such other information as may be necessary. The Historian shall be paid compensation for his services.

Section 8: Department Chaplain shall advise the Commander, the Department Adjutant, and the Department Executive Committee of any necessary action for the welfare of the Post. The Chaplain shall perform such divine and non-sectarian services as may be required.

Section 9: Department Sergeant-at-Arms shall have charge of the ceremonial of the Department and shall perform such other duties as may be required of him by the Commander, subject to the approval of the Department Executive Committee.

Section 10: No Post shall be named after any living person.
Department Adjutant will sit in an advisory capacity, without vote, in the selection process, except when the exiting Department Adjutant has been removed for cause. The term of office for the Department Adjutant shall be three (3) years, on a contractual basis renewable at the discretion of the Department Executive Committee, that the District Commander recommends the consideration of the cancellation of the questioned Post’s charter. Once the Department Executive Committee has ordered the cancellation of the charter of the Post, it shall notify the Post, in writing, that the charter has been revoked, and the Post shall have thirty (30) days to appeal the decision of the Department Executive Committee. The decision of the Department Executive Committee shall be conclusive. The Department Adjutant shall be given an Annual Effectiveness Evaluation by the Department Commander forty-five (45) days prior to the Department Convention. Said Effectiveness Evaluation shall be reviewed by the Department Administrative Committee for appropriateness and reasonableness. The Department Adjutant shall be present at all meetings of the Department and shall be entitled to vote on all questions. The Department Adjutant shall serve at the pleasure of the Department Executive Committee. The Department Adjutant shall be given an Annual Effectiveness Evaluation by the Department Commander forty-five (45) days prior to the Department Convention. Said Effectiveness Evaluation shall be reviewed by the Department Administrative Committee for appropriateness and reasonableness. The Department Adjutant shall be present at all meetings of the Department and shall be entitled to vote on all questions.
Section 3: All Department Committees and Subcommittees shall function under Rules of Procedure approved and adopted by the Department Executive Committee. Committee Rules of Procedure shall be interpreted in accordance with Section 3 and Article VIII of the Constitution and By-Laws of The American Legion, Department of Michigan. The Department Executive Committee may, upon recommendation of the Department Judge Advocate, suspend any provisions of the Constitution and By-Laws of a County Council, when in the judgment of such committee, it contravenes the provisions of the constitutional and statutory framework of the Department. No Post of The American Legion, Department of Michigan shall sell its Post Home or any other real or personal property, only after approval of the Department Judge Advocate. No member shall receive per diem and travel pay more than once per call, regardless of the number of committees they serve on.

Section 4: No Post of The American Legion, Department of Michigan shall sell its Post Home or any other real or personal property, only after approval of the Department Judge Advocate. No member shall receive per diem and travel pay more than once per call, regardless of the number of committees they serve on.

Article VIII

CITY AND COUNTY COUNCILS

Section 6: No Legionnaire may be appointed to serve on more than one regular standing committee at any one time.

Section 7: Finance/Personnel Committee: A committee shall be appointed to conduct the business of the Finance/Personnel Committee of a County Council. This committee shall be composed of five (5) members, one member to be appointed from each Zone of the County. The Chairman of the Finance/Personnel Committee shall be ex-officio Secretary of this committee, with vote. The Director of Veterans Affairs and Rehabilitation shall be an ex-officio member of this committee, without vote.

Section 8: All funds received from any source for the Department of Michigan, including any Board or Committee created and or appointed by The American Legion, Department of Michigan, shall be under the possession, control and supervision of the Finance/Personnel Committee. Said Committee shall be charged with the duty of setting up a proper and adequate system of centralized control and procuring audits of such funds.

Section 9: The Finance/Personnel Committee shall be charged with the preparation of a yearly budget, the financial policy of the Department, the handling of funds under the budget, and the audit of all books and records of the Department and other additional audits as often, in
Section 5: Representation of the Posts in such County Council shall be on the same basis as such Posts had at the preceding Department Convention, or such other basis as said Council may decide.

Section 6: The Finance/Personnel Committee shall be charged with the duty of fixing the amount of the annual dues for the Posts within the limits, which Post dues are to be submitted to the Department Commander and the Department Treasurer, in order to provide an adequate budget for the Department. The amount of such Post dues shall be determined by the Department Commander and the Department Treasurer, and approved by the Department Executive Committee.

Section 7: The revenue of the District Associations may be derived from dues and such sources as may be approved by the Department Executive Committee.

Section 8: The revenue of the Department shall be derived from annual membership dues and from such other sources as may be approved by the Department Executive Committee.

Section 9: The annual dues shall be collected by each Post and transmitted promptly through the Department to the National Treasurer. Departments are designated agents for collections for The American Legion with respect to such annual dues and, upon receipt thereof, shall remit them promptly to The American Legion.

Section 10: In no event shall the period transpiring between the receipt of such annual dues by a Post of the Department and the remittance thereof to the National Treasurer through the Department exceed thirty (30) days.

Section 11: The Department Executive Committee may annul or suspend, upon recommendation of the Department Judge Advocate, any provision of the Constitution and By-Laws of such organizations where in the judgment of such committee it contravenes the provisions of the National or Department Constitution and By-Laws or the established policy of the Department.
**Section 8: Arrears in Dues** — A member whose dues for the current year have not been paid by January 1st, shall be classed as delinquent. If the dues are paid on or before February 1st, the member shall be restored to membership and all delinquent dues shall be paid. If the member has not paid dues by February 1st, the member shall be classed as delinquent. If the member is still delinquent after February 1st, such member shall be suspended from all privileges. If such member is still under suspension on June 30th of such year, the member's membership in The American Legion shall be forfeited. A member whose membership has been so forfeited may be reinstated upon payment of dues for the year in which reinstatement occurs and upon payment of dues for the year in which reinstatement occurs. A member whose membership has been so forfeited to pay one year's arrearage in dues. The Department and National Organization may waive the provisions hereof, with reference to former members who have been prevented from the payment of dues by reason of active military service, upon order for payment thereof.

**Section 9:** One District Commander shall be chosen from each District in the State. Each District Commander shall hold office from the close of one Department Convention to the close of the next Department Convention, or such other basis as said District Association may decide.

**Section 10:** Each Zone shall adopt its own Constitution and By-Laws for its governance and shall be reviewed and approved by the Department Judge Advocate. A copy of such Constitution and By-Laws shall be filed with the Department Adjutant.

**Section 11:** Each Zone organization shall adopt its own Constitution and By-Laws, for its governance and shall be reviewed and approved by the Department Judge Advocate. A copy of such Constitution and By-Laws shall be on file at Department Headquarters.

**Section 12:** The Zone Commanders shall be elected at the Zone caucuses held at the Annual Department Convention, or such other basis as said District Association may decide. The Zone Commanders shall also be known as Department Vice Commanders.
Article IX
DEPARTMENT CONVENTION

Section 1: 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 Convention, called pursuant to the provisions of the Constitution and By-Laws of the Department and National Constitution, and by such miscellaneous rules as may, from time to time, be ordered by the Department Executive Committee. 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.

Article X
USE OF THE NAME AND EMBLEM

Section 1: The use of the name by the individual Legionnaire shall be limited to the wearing of the official insignia and to the possession of authorized jewelry or merchandise bearing the emblem.

Section 2: The use of the name by Posts shall be confined to using in a manner consistent with the purpose of the Department and National Constitution the emblem, logo, insignia, and merchandise bearing the emblem.

Section 3: The use of the emblem by the individual Legionnaire shall be limited to the wearing of the official insignia and to the possession of authorized jewelry or merchandise bearing the emblem.

Section 4: The use of the emblem by Posts shall be confined to using in a manner consistent with the purpose of the Department and National Constitution the emblem, logo, insignia, and merchandise bearing the emblem.

Section 5: The Department shall be entitled to the use of the name "The American Legion" or the emblem.

Section 6: The use of the name "The American Legion" or the emblem shall be subject to approval by the National Adjutant.

Section 7: The use of the name "The American Legion" or the emblem shall be subject to approval by the National Adjutant.

Section 8: The use of the name "The American Legion" or the emblem shall be subject to approval by the National Adjutant.

Section 9: The use of the name "The American Legion" or the emblem shall be subject to approval by the National Adjutant.

Section 10: The use of the name "The American Legion" or the emblem shall be subject to approval by the National Adjutant.

PRIOR YEAR'S CONVENTION

Section 1: The annual meeting of The American Legion, Department of Michigan shall be a convention, called pursuant to the provisions of the Constitution and By-Laws of the Department, which shall properly come before it for action.

Section 2: The name "The American Legion" or the emblem shall be used only in carrying out the purposes of this Article excepting, however, that the Department shall be privileged to use the emblem in the annual Convention on the basis of one Delegate for such Post, who shall be the newly elected Post Commander and an additional Delegate for each 50 (fifty) members of major fraction thereof. Any Post that has a paid up membership of 15 (fifteen) or more paid-up members at the Department Headquarters 30 (thirty) days prior to the opening date of the Department Convention shall have representation at the Department Convention. The use of the emblem by Posts shall be confined to using in a manner consistent with the purpose of the Department the emblem, logo, insignia, and merchandise bearing the emblem.

Section 3: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

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Section 6: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

Section 7: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

Section 8: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

Section 9: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

Section 10: Representation in the annual Convention shall be by Delegates and Alternates, duly elected by Posts of the Department and, in addition thereto, the Past Department Commanders of the Department Executive Committee, with the exception of the emblem, logo, insignia, and merchandise bearing the emblem.

Section 11: 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 Convention, called pursuant to the provisions of the Constitution and By-Laws of the Department and National Constitution, and by such miscellaneous rules as may, from time to time, be ordered by the Department Executive Committee. 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.

Section 2: Notice shall be given of the Annual Department Convention by the Department Adjutant to all Posts of the Department of the time and place of the Convention, which notice shall be entitled "Call of the Annual Convention", and which shall be published electronically on the Department website at least 60 days prior to said Convention and be published in paper form in a spring edition of the Michigan Legionnaire. There shall be no other official notice of the organization by the Posts and the Department, in connection with appropriate language to the Department Convention, indicate the Post or the Department name.

Section 3: The annual Convention shall have all of the Administrative, Legislative and Judicial powers of the Department.

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Section 10: The annual Convention shall have all of the Administrative, Legislative and Judicial powers of the Department.
necessary witness, in which case the Commander or the Administrative Committee shall
may be seated with Delegates at the Department Convention. The Annual Convention shall
appoint a special Judge Advocate for such purpose. The Judge Advocate shall cause a copy of
authorize the appointment of such standing committees of this Department as it deems proper.
the complaint to be sent by registered letter to the official address of the accused and shall
afford the accused opportunity to reply thereto. The result of such investigation shall be
Section 7: A quorum shall exist at the Annual Department Convention when a majority of the
reduced to writing and promptly returned to the Administrative Committee, with the
Department Officers and 15% of the Posts of the Department are either fully or partially
recommendation of the Judge Advocate endorsed thereon. Unless the Administrative
Committee shall, by a four-fifths vote of all the members, find the complaint to be without

Section 8: That appeal be referred to the Department Executive Committee
for the orderly organization and operation of Department Conventions with continuing power of
it shall be the duty of the Commander at all Department Conventions of the Annual
Committee to convene, within thirty (30) days, thereafter, to consider and act upon the
complaint. Upon failure of the Commander to call such a meeting within a period of five (5)
days after the complaint shall have been referred to the Executive Committee by the
Administrative Committee or other officer of the Department, it shall be authorized to refer
such complaint to the Department Executive Committee for consideration and decision.

Section 3: That the committee of one hundred and twenty (120) shall be the minimum in which such
Districts shall be represented in the Annual Convention of The American Legion.
Constitution and By-Laws Committee or the Department Executive Committee.
Adopted: June 30, 2019

Section 10: If a Past Department Commander, who is Chairman of the delegation, shall
not represent the Department as delegates-at-large to the National Convention, if the whole
number of delegates shall exceed by two (2) the number of Districts.

Section 1: These By-Laws may be amended by two-thirds vote at any Annual Department
Convention; provided notice be published electronically on the Department website at least 60
days prior to said convention and published in the Michigan Legionnaire in the spring edition of the Michigan
Legionnaire. Said proposed amendment shall be referred to the Convention, Constitution and
By-Laws Committee, which shall submit the same to the Department Convention with its
recommendations with regard thereto.

Section 2: This Constitution and By-Laws is adopted subject to the provisions of the National
Constitution and By-Laws of The American Legion. Any amendment to the National
Constitution and By-Laws which is in conflict with any provisions hereof shall be regarded as
an employee. The vote of each Past Department Commander, except as stated above, shall be
automatically repealing or modifying the provisions of this Constitution and By-Laws to the
extent of said conflict.

Section 3: That no proposed amendment shall be submitted through the Department Adjutant
to the several Posts of the Department and members of the Department Executive Committee,
as provided in Section (1) of this Article, unless said proposed amendment shall first have been
submitted by the Department Committee to the Department Convention by a call vote of the Districts of the Department
with the exception of the Five Vice-Commanders, who shall be chosen at the "Zone" Caucuses by the Districts making up the
"Zone" which that individual Vice Commander is to represent. Each Vice Commander so chosen
must be and shall remain a member of a Post within their respective Zone or the office shall be
declared vacant.

Article XII
DEPARTMENT OFFICERS

Section 1: These By-Laws may be amended by two-thirds vote at any Annual Department
Convention; provided notice be published electronically on the Department website at least 60
days prior to said convention and published in the Michigan Legionnaire in the spring edition of the Michigan
Legionnaire. Said proposed amendment shall be referred to the Convention, Constitution and
By-Laws Committee, which shall submit the same to the Department Convention with its
recommendations with regard thereto.

Section 2: This Constitution and By-Laws is adopted subject to the provisions of the National
Constitution and By-Laws of The American Legion. Any amendment to the National
Constitution and By-Laws which is in conflict with any provisions hereof shall be regarded as
an employee. The vote of each Past Department Commander, except as stated above, shall be
automatically repealing or modifying the provisions of this Constitution and By-Laws to the
extent of said conflict.

Section 3: That no proposed amendment shall be submitted through the Department Adjutant
to the several Posts of the Department and members of the Department Executive Committee,
as provided in Section (1) of this Article, unless said proposed amendment shall first have been
submitted by the Department Committee to the Department Convention by a call vote of the Districts of the Department
with the exception of the Five Vice-Commanders, who shall be chosen at the "Zone" Caucuses by the Districts making up the
"Zone" which that individual Vice Commander is to represent. Each Vice Commander so chosen
must be and shall remain a member of a Post within their respective Zone or the office shall be
declared vacant.

Adopted: June 30, 2019
Section 2: Department Officers, Chairman of the Vice Commanders, and members of the Executive Committee shall be installed at the close of the Department Convention and shall immediately enter upon their duties. They shall hold office for a term of one year or until their successors shall be/have been duly appointed, elected and installed, except that the Department Finance Officer, Department Historian and Department Sergeant-at-Arms shall not serve more than two (2) consecutive terms of office.

Section 3: The Department Convention shall also elect one (1) National Executive Committeeman and one Alternate Committeeman to represent the Department on the National Executive Committee, who shall hold office for a term of office as prescribed by the National Constitution and By-Laws.

Article XIII
DEPARTMENT EXECUTIVE COMMITTEE

Section 1: Between the Department Conventions, the executive, legislative, and judicial powers shall be vested in the Department Executive Committee which shall be composed of the following: Department Commander, Department Vice Commanders, District Commanders, Department Finance Officer, Department Judge Advocate, Department Historian, Department Chaplain, Department Sergeant-at-Arms, immediate Past Department Commander, National Executive Committeeman, all with vote, and the Department Adjutant, who is without vote. Each member of the Department Executive Committee shall be entitled to one (1) vote. In the absence of a District Commander such vacancy shall be filled by their Alternate District Commander and in the absence of the National Executive Committeeman such vacancy shall be filled by the Alternate National Executive Committeeman.

Section 2: All Past Department Commanders, except as otherwise noted in Article XIII, Section 1 above, shall be ex-officio members of the Executive Committee with voice, but without vote and without expenses, as long as they remain a member in good standing of a duly chartered American Legion Post in the Department of Michigan.

Article XIV
DEPARTMENT AUXILIARY

Section 1: The American Legion, Department of Michigan recognizes an Auxiliary organization, known as the American Legion Auxiliary, Department of Michigan.

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

Section 3: The Auxiliary shall be governed by such rules and regulations as may be prescribed by the National Executive Committee and thereafter approved by The American Legion, Department of Michigan.
Section 4: In the absence of rules and regulations governing the Auxiliary, promulgated by the National Executive Committee, the Department Executive Committee may provide for the organization and administration of Auxiliary units within the Department.

Article XV
TWENTY AND FOUR

Section 1: The American Legion recognizes an organization known as the Michigan Echelon, Twenty and Four. 20/4 is otherwise known as the “Honor Society of Women Legionnaires”.

Section 2: Membership in Michigan Echelon, Twenty and Four, shall be limited to women members of The American Legion, in good standing.

Article XVI
AMENDMENTS

Section 1: This Constitution may be amended by two-thirds vote at any Annual Department Convention, provided notice be published electronically on the Department website at least 60 days prior to said convention and be published in paper form in a spring edition of the Michigan Legionnaire. Said proposed amendment shall be referred to the Convention Constitution and By-Laws Committee, which shall submit the same to the Department Convention with its recommendations with regard thereto.

Section 2: This Constitution is adopted subject to the provisions of the National Constitution and By-Laws of The American Legion. Any amendment to the National Constitution and By-Laws which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution and By-Laws to the extent of such conflict.

Section 3: That no proposed amendment shall be submitted through the Department Adjutant to the several Posts of the Department and members of the Department Executive Committee, as provided in Section (1) of this Article, unless said proposed amendment shall first have been submitted by a Post or District or Department Association, or by the standing Department Constitution and By-Laws Committee or the Department Executive Committee.

Adopted: June 29, 2019