

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 1-25

Subject: Establish Uniform Quorum for
Districts

Submitted by: D2

Referred to:
(1) Constitution & Bylaws CMTE

WHEREAS, The American Legion, Department of Nebraska, has fourteen (14) Districts within its borders; and

WHEREAS, Districts Constitution and Bylaws are not uniform when it comes to quorums; and

WHEREAS, Many Districts have antiquated Constitution and Bylaws with a quorum figure that relates to membership at a time when membership was much larger; and

WHEREAS, Given many Districts are finding themselves in situations that they are unable to establish a quorum at their District Convention and thus, unable to conduct business at this important annual meeting; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the Department Constitution, Article V, Section 5 be modified to add the following sentence:

*“Section 5. A quorum shall exist at a Department Convention when 20% of the posts of the Department are represented by qualified delegates. **This 20% quorum rule shall further extend to all Districts Conventions within the Department.**”, and, be it finally,*

RESOLVED, That this change take effect immediately upon adoption.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 2-25

Subject: Minimum Post Dues

Submitted by: District 15

Referred to:
(1) Constitution & Bylaws CMTE

WHEREAS, Legionnaires who pay their dues annually are responsible for paying annual department per capita dues and annual national per capita dues, and

WHEREAS, Legionnaires in posts whose total dues are less than the sum of department per capita dues and national per capita dues are unable to renew their memberships online because the national organization cannot accept less than the sum of department per capita dues and national per capita dues, and

WHEREAS, Posts that currently subsidize a portion of their members' annual department per capita dues and/or annual national per capita dues may continue to do so by paying the subsidy directly to the member instead of to the Department to satisfy the members' obligations to pay their annual department per capita dues and/or annual national per capita dues; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That Article XII of the Department Constitution (Finances) be amended to include a new Section 3 as such:

Section 3. The total post dues of any post in the Department of Nebraska must be no less than the sum of the current national per capita dues and the current department per capita dues.; and, be it finally

RESOLVED, That this change to the Department Constitution becomes effective upon adoption of this resolution at the Department Convention.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 3-25

Subject: Boys/Girls County Government
Day Stipend

Submitted by: District 12

Referred to:
(1) Constitution & Bylaws CMTE
(2) Americanism CMTE
(3) Finance CMTE
(4) DEC

WHEREAS, County Organization and Administration is provided in Article IX of the Bylaws of The American Legion Department of Nebraska; and

WHEREAS, County Commanders have the responsibility of carrying out all of The American Legion sponsored programs on a county level, particularly Cornhusker Boys' and Girls' County Government (day); and

WHEREAS, County organizations do not receive funding from the Department in order to carry out Cornhusker Boys' and Girl's County Government (day) programs and in most cases impose dues on post(s) within the County to fund such programs; and

WHEREAS, Many County organizations do not conduct Cornhusker Boys' and Girls' County Government (day) programs due to lack of available resources; and

WHEREAS, Department funding for the execution of the Cornhusker Boys' and Girls' County Government Day programs could result in increased programs statewide; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That Article IX, Section 1 of the Bylaws of The American Legion Department of Nebraska be modified by adding the following sentence:

"Section 1. The County Commander, in addition to being a member of the District Executive Committee shall preside at all county meetings. He shall be the membership chairman for his county and shall be responsible for attaining the membership quota. He shall be responsible for the adoption of a County Constitution and Bylaws, in conformity with the National and Department Constitution and Bylaws, copies of which shall be filed with the District Commander and at Department Headquarters. He shall call at least two county meetings each year, to be held at different posts. A county convention shall also be held prior to the district convention for the purpose of electing county officers. The County Commander shall attend all meetings of the District Executive Committee, and shall represent the county organization at all functions where his presence is requested.

He shall stimulate rehabilitation work throughout the posts in his county. A written annual report shall be submitted by the County Commander at the county convention and then transmitted to the District Commander. It shall be the function of the County Commander to conduct county caucuses at each Department Convention. He shall coordinate county functions and activities with the American Legion Auxiliary. The County Commander shall have as his responsibility the carrying out of all American Legion sponsored programs on a county level, particularly Cornhusker Boys' and Girls' County Government. Upon application to and approval of the Department Americanism Committee, the County Commander shall receive a stipend in the amount of \$5.00 per participant in the Cornhusker Boys' and Girls' County Government program up to a maximum of \$500 to help offset the cost of such program."; and, be it finally

RESOLVED, That this this change take effect immediately upon adoption.

Financial Impact Statement: \$7,000 annually.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 4-25

Subject: Female Representation in Department
Constitution

Submitted by: D8

Referred to:
(1) Constitution and Bylaws CMTE

WHEREAS, Recognizing The American Legion is the nation's largest veteran's service organization;

WHEREAS, The American Legion membership consists of both men and women veterans;

WHEREAS, Recognizing The National American Legion and The Department of Nebraska American Legion, as well as its statewide District, County, and Post entities do have and have had both men and women in numerous leadership positions;

WHEREAS, Recognizing female members of The Department of Nebraska American Legion are subject to this Constitution;

WHEREAS, The Department of Nebraska American Legion Constitution does allow for amendments to the Department of Nebraska Constitution and Bylaws; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the roles and responsibilities of women veteran's need be better reflected in the Department Constitution; and, be it further

RESOLVED, That Article II, Section 1 of the Department Constitution read:

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

RESOLVED, That Article II, Section 3 of the Department Constitution read:

Section 3. Each member shall perform his or her full duty as a citizen according to his or her own conscience and understanding.; **and, be it further**

RESOLVED, That Article IV, Section 4 of the Department Constitution read:

Section 4. No person who has been expelled by a post, shall be admitted to membership in another post, without the consent of the expelling post, except that where such consent has been asked for and denied by such post, he or she may then appeal to the State Executive Committee of the Department of the expelling post for permission to apply for membership in another post, and shall be ineligible for membership until such permission is granted.; **and, be it finally**

RESOLVED, That Article VI, Section 6 of the Department Constitution read:

Section 6. The Department Executive Committee shall, at its first meeting following the Department Convention, appoint a Department Finance Officer to serve for the term of one fiscal year of the Department and until his or her successor is appointed, and he or she shall be treasurer of the Department.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 5-25

Subject: Female Representation in Department Bylaws

Submitted by: D8

Referred to:

(1) Constitution and Bylaws CMTE

WHEREAS, Recognizing The American Legion is the nation's largest veteran's service organization;

WHEREAS, The American Legion membership consists of both men and women veterans

WHEREAS, Recognizing The National American Legion and The Department of Nebraska American Legion, as well as its statewide District, County, and Posts entities do have and have had both men and women in numerous leadership positions;

WHEREAS, Recognizing female members of The Department of Nebraska American Legion are subject to these Bylaws;

WHEREAS, The Department of Nebraska American Legion Bylaws do allow for amendments to the Department of Nebraska Constitution and Bylaws; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the roles and responsibilities of women veteran's need be better reflected in the Department Bylaws; and, be it further

RESOLVED, That Article I, Section 1 of the Department Bylaws read:

Section 1. DUTIES OF DEPARTMENT COMMANDER. The Department Commander shall be the executive head of The American Legion, Department of Nebraska, with full power to enforce the provisions of the Department Constitution, Department Bylaws, and the will of the Department convention. He or she shall be the chairman or chairwoman of the Department convention and of the Department Executive Committee. He or she shall be the chairman or chairwoman of the Department's delegation to the National Convention as retiring Department Commander. He or she shall be an ex-officio member of such subsidiary corporations as may be formed under the sponsorship of The American Legion, Department of Nebraska, to carry on such programs. He or she shall perform such other duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 2 of the Department Bylaws read:

Section 2. DUTIES OF DEPARTMENT SENIOR VICE COMMANDER. The Department Senior Vice Commander shall act as representative of the Department Commander on all matters referred to him or her by the Department Commander, and shall, on the request of the Department Commander, preside over meetings of the Department convention or Department Executive Committee, and perform such other duties as are usually incident to the office. The Department Senior Vice Commander, in close liaison with the Department Commander, shall have as his or her primary responsibility the coordination and implementation of all programs and activities of the various Department committees.; **and, be it further**

RESOLVED, That Article I, Section 5 of the Department Bylaws read:

Section 5. DUTIES OF DEPARTMENT CHAPLAIN. The Department Chaplain shall be the spiritual advisor of the Department and its members. He or she shall perform such divine and non-sectarian services as may be necessary, adhering to such ceremonial rituals as may be recommended by National and Department Headquarters.; **and, be it further**

RESOLVED, That Article I, Section 6 of the Department Bylaws read:

Section 6. DUTIES OF NATIONAL EXECUTIVE COMMITTEEMAN OR COMMITTEEWOMAN. The National Executive Committeeman or Committeewoman shall represent The American Legion, Department of Nebraska, at meetings of the National Executive Committee. He or she shall maintain close liaison with the Department Commander and Department Headquarters so that he or she may be informed of the position of the Department on matters of national importance. He or she shall report to the Department Convention and other Department meetings, as well as to the Department Executive Committee, when requested to do so, in order that there may be a general understanding of his or her activities at the national level.; **and, be it further**

RESOLVED, That Article I, Section 7 of the Department Bylaws read:

Section 7. DUTIES OF ALTERNATE NATIONAL EXECUTIVE COMMITTEEMAN OR COMMITTEEWOMAN. The Alternate National Executive Committeeman shall render such services as may be requested from him or her by the National Executive Committee, and in the inability of the National Executive Committeeman or Committeewoman to perform any or all of the duties assigned to him or her, the Alternate National Executive Committeeman or Committeewoman shall perform such duties.; **and, be it further**

RESOLVED, That Article I, Section 8 of the Department Bylaws read:

Section 8. DUTIES OF DEPARTMENT ADJUTANT. The Department Adjutant shall be entrusted with the keeping of the records of all official meetings of the Department and with the custody of other Department records of various kinds. He or she shall act as a coordinator in carrying out the policies and mandates of the Department convention, the Department Executive Committee, and the Department Commander. He or she shall be an ex-officio secretary of such subsidiary corporations as may be formed under the sponsorship of The American Legion, Department of Nebraska, to carry on such programs. He or she shall be charged with the employment of clerical and administrative help at Department Headquarters, and shall be held responsible for the faithful performance of duties by such employed personnel. He or she shall perform such other duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 9 of the Department Bylaws read:

Section 9. DUTIES OF ASSISTANT DEPARTMENT ADJUTANT. The Assistant Department Adjutant shall serve as Department Activities Director. He or she shall be in charge as coordinator and administrator of such programs as may be referred to him or her by the Department Executive Committee and the Department Adjutant. He or she shall assist the Department Adjutant in his or her work, and shall perform such other duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 10 of the Department Bylaws read:

Section 10. DUTIES OF DEPARTMENT PUBLIC RELATIONS OFFICER. The Department Public Relations Officer shall serve as editor of The Nebraska Legionnaire, prepare and distribute appropriate news releases, administer an effective Public Relations program, and perform such other duties as are usually incident to the office. He or she shall also administer such other programs which may be referred to him or her by the Department Executive Committee and the Department Adjutant.; **and, be it further**

RESOLVED, That Article I, Section 11 of the Department Bylaws read:

Section 11. DUTIES OF DEPARTMENT FINANCE OFFICER. The Department Finance Officer shall be the custodian of the funds of the Department organization. He or she shall sign all checks disbursing the funds of the Department organization and shall make reports upon the condition of the Department treasury when called for by the Department Commander or the Department Finance Committee. The Department Finance Officer shall furnish a surety bond as hereinafter prescribed. He or she shall perform such duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 12 of the Department Bylaws read:

Section 12. DUTIES OF DEPARTMENT JUDGE ADVOCATE. The Department Judge Advocate shall advise the Department officers and the Department Executive Committee on all legal matters, and this shall include the construction and interpretation of the National and Department Constitution and Bylaws. He or she shall perform such other duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 13 of the Department Bylaws read:

Section 13. DUTIES OF DEPARTMENT SERVICE OFFICER. The Department Service Officer shall be in charge of the representation before governmental agencies in the claims for benefits originating from eligible veterans. He or she shall be responsible for furnishing advice and information to District and Post Service Officers, and assist in all possible ways in developing their efficiency. He or she shall work in close cooperation with the Department Rehabilitation Committee and Department Commander in matters pertaining to service work and rehabilitation. He or she shall perform such other duties as are usually incident to the office.; **and, be it further**

RESOLVED, That Article I, Section 15 of the Department Bylaws read:

Section 15. DUTIES OF DEPARTMENT SERGEANT-AT-ARMS. The Department Sergeant-at-Arms shall be responsible for the maintenance of order at Department meetings. He or she shall be the custodian of the Department Colors at such meetings, and shall be in charge of the color detail during the presentation and retirement ceremonies of the Colors. He or she shall act under the order of the Department Commander.; **and, be it further**

RESOLVED, That Article I, Section 16 of the Department Bylaws read:

Section 16. EXPENSES OF DEPARTMENT OFFICERS. With the exception of the Department Commander, the elective and appointive Department, Area and District officers, including the National Executive Committeeman and his or her Alternate, shall submit a statement of actual expenses incurred in attending authorized Department meetings or on official Department business upon vouchers provided for that purpose, so that they may be reimbursed by the Department.

Authorized expenditures shall include mileage at the rate of thirty (30) cents per mile when private conveyance is used, standard railroad, airplane, or bus fare when required; and hotel room at \$75.00 flat rate, payable only with copy of paid receipt. The Department Commander and the Department Headquarters shall each be furnished with an official vehicle, and the maintenance and operating expenses for such cars shall be paid by the Department. Should the Department Commander or other Department officers be required to attend meetings outside of the state as representatives of this Department, their actual paid out expenses for attending such meetings shall be reimbursed by the Department.; **and, be it further**

RESOLVED, That Article III, Section 1 of the Department Bylaws read:

Section 1. The Department convention or the Department Executive Committee may, from time to time, authorize such standing committees as it sees fit, with such duties and powers as are provided in the action authorizing same. The Department Executive Committee shall have the power at any time to increase, decrease or abolish any committee created pursuant to this section. All committee members shall be appointed at the Department Executive Committee meeting held immediately prior to each Department Convention. The retiring Department Commander shall submit a list of recommendations for committee appointments to the Department Executive Committee members at least two weeks prior to this meeting. Committee members may be named from these recommendations or from other recommendations made by the Department Executive Committee members, all subject to approval by the Department Executive Committee. In the event that a recommendations list is not supplied before such a date by the retiring Department Commander, members of the Department Executive Committee shall be notified immediately by the Department Adjutant, and the committee vacancies will then be filled by nomination and approval of committee members by the Department Executive Committee at the meeting immediately preceding the Department Convention. With the exception of the Legislative Committee, the Constitution and Bylaws Committee, and the Distinguished Guest Committee, no member of the Department Executive Committee shall serve on a standing committee.

As soon as practical following the Department convention, the incoming Department Commander, solely at his or her discretion, shall name the chairman or chairwoman of the standing committees from the previously determined membership of each committee with the exception of the Athletic Committee which shall elect its own chairman or chairwoman. Each Department standing committee shall select a Vice Chairman or Chairwoman.; and, be it further

RESOLVED, That Article III, Section 3 of the Department Bylaws read:

Section 3. Meetings of the various standing committees shall be held at the call of the chairman or chairwoman, or as requested by the Department Commander or the Department Executive Committee. Any committee member that misses two consecutive meetings will be removed from that committee unless excused. The Committee Chairman or Chairwoman will be responsible for determining whether or not any excuse offered is valid or invalid. Expenses of standing committee members incurred at such meetings shall be submitted to the committee chairman or chairwoman for approval, and committee members shall be reimbursed for their actual expenses in accordance with the provisions of Section 16 of Article I of these Bylaws.; and, be it further

RESOLVED, That Article III, Section 6 of the Department Bylaws read:

Section 6. AMERICANISM COMMITTEE. The purpose of this committee shall be to inspire patriotism and to promote good citizenship. This shall be done by implementation of but not limited to the following: 1. Promotion of Boy Scouts of America and sponsorship of Scout Units by Posts. 2. Promotion of local community service programs and projects that lead to the betterment of local moral and spiritual values. 3. Ensure that each county conducts and carries out the activities of Cornhusker Boys and Girls County Government. 4. Initiate, promote, and carry out programs directed toward the discipline responsibilities of Law and Order. 5. Develop interest in the American Legion High School Oratorical program, supervise local and district contests, and conduct the State Oratorical Contest.

Membership on this committee shall be eight members with eight members appointed to allow two representatives from each of the four Legion areas in the state. Membership on this committee will be staggered with a maximum four year appointment for any member. The committee chairman or chairwoman, with the approval of the Department Commander, shall appoint one member of the committee to serve as subcommittee chairman or chairwoman of the Law & Order program and one member of the committee to serve as subcommittee chairman or chairwoman of the Oratorical program. Subcommittee chairmen or

chairwomen may utilize other committee members as needed to fulfill the program obligations.; and, be it further

RESOLVED, That Article III, Section 7 of the Department Bylaws read:

Section 7. ATHLETIC COMMITTEE. The Athletic Committee shall be composed of nine members, with one member appointed at-large and two from each Area from the Department. Members will serve terms of four years each. Chairmanship or Chairwomanship of the committee shall be determined by the members of the committee.

The Athletic Committee shall conduct at least three meetings annually. One meeting shall be held at the conclusion of the baseball season, a second meeting during the Mid-Year Conference at which time tournament bids for the coming year will be accepted, and the third meeting in June each year. Other meetings may be called by the chairman or chairwoman or by five members of the committee.

Chairman or chairwoman is director of the state final Senior Baseball tournaments. The chairman or chairwoman shall assign committee members to assist with tournaments as required.

The Athletic Committee Chairman or Chairwoman will represent the Department of Nebraska at the annual American Legion Baseball Conference which is called and financed by the National organization of The American Legion.; and, be it further

RESOLVED, That Article III, Section 8 of the Department Bylaws read:

Section 8. CHILDREN AND YOUTH COMMITTEE. The Children and Youth Committee shall be composed of four members with members appointed to represent each of the four Legion Areas in the Department. Membership on this committee shall be staggered with a maximum of a four year appointment for any member.

The Department Commander of The American Legion, the Department President of the American Legion Auxiliary, the Grande Chef de Gare of the 40 and 8, the Chapeau Departmental of the 8 and 40, and the Children and Youth Chairman or Chairwoman of the American Legion Auxiliary, the 40 and 8, the 8 and 40, the Nebraska representative on the National Children and Youth Commission, along with the Children and Youth Committee shall comprise the Coordinated Children and Youth Committee.; and, be it further

RESOLVED, That Article IV, Section 2 of the Department Bylaws read:

Section 2. Unless otherwise ordered by the Department Executive Committee, or otherwise in the Department Constitution or Bylaws provided, Department funds shall be expended by the Department Finance Officer by checks signed by him or her and countersigned by the Department Commander upon vouchers approved by the Department Commander.; and, be it further

RESOLVED, That Article IV, Section 20 of the Department Bylaws read:

Section 20. SCHOLARSHIP COMMITTEE. The Scholarship Committee shall be composed of four members which may consist of members of the Department Executive Committee and will be initially appointed by the Department Commander to serve staggered terms from one to four years. This committee shall be responsible for establishing rules and regulations for the committee, subject to the approval of the Department Executive Committee, for the review of applicants; for the selection of recipients for all scholarships including but not limited to The American Legion annual scholarship and the Boschult scholarship; and will assist in the promotion of scholarships for The American Legion, Department of Nebraska. This committee will meet annually between March 1 and April 1 of each year for the purpose of reviewing all applications for scholarships and to determine the various scholarship recipients. The chairman or chairwoman of this committee will report to the Department Executive Committee at their meeting preceding the Department Convention.; and, be it further

RESOLVED, That Article V, Section 1 of the Department Bylaws read:

Section 1. In the Department convention each Post shall be entitled to two (2) delegates and to one additional delegate for each one hundred (100) members or major fraction thereof, whose current dues have been received by the Department at least forty-five days prior to the date of the convening of the Department convention. Each Post shall also be entitled to one alternate for each delegate, who shall act as delegate in his or her absence. Each alternate shall also have all other rights and privileges of delegates except that of voting. Delegates and alternates shall be chosen by the various Posts in such manner as each Post shall determine. Each County Commander who attends and registers as such shall be a delegate to the Department Convention, with voice and vote to be exercised with his or her respective Post.; **and, be it further**

RESOLVED, That Article V, Section 3 of the Department Bylaws read:

Section 3. When a roll call vote is ordered, the County Commander or County Chairman or Chairwoman of a delegation or the Delegation Chairman or Chairwoman of District 15 shall announce the vote of its delegation by rising, giving his or her name, and the vote of his or her delegation. He or she shall also list the Past Department Commander, Past Department Adjutant, and the present Department Officers that are present and registered at the Convention and are, therefore, actually entitled to vote. County Commanders or County Chairmen or Chairwomen or the Delegation Chairman or Chairwoman of District 15 must cast the correct vote when called upon. Counties shall not pass and then vote at the end of voting. All County Commanders or County Chairmen or Chairwomen or the Delegation Chairman or Chairwomen of District 15 will receive two ballots for each elected officer, one to be given to the Convention Secretary when he or she gives the voice vote, and the other to be retained by the County Commander or County Chairman or Chairwoman or the Delegation Chairman or Chairwoman of District 15. The County Commander or County Chairman or Chairwoman or the Delegation Chairman or Chairwoman of District 15 shall sign the ballot that he or she gives to the Convention Secretary.; **and, be it further**

RESOLVED, That Article V, Section 4 of the Department Bylaws read:

Section 4. Within a delegation, the Posts shall not cast their votes as a unit, nor shall the county vote be cast as a unit, but the total number of votes cast for and against any proposition shall be announced by the County Commander or duly elected County Chairman or Chairwoman or Acting Chairman or Chairwoman of each delegation. A delegation is defined as a county or District and 15.; **and, be it further**

RESOLVED, That Article V, Section 6 of the Department Bylaws read:

Section 6. Each delegate within his or her Post, shall be entitled to one vote. In the absence of regular delegates from any post, the delegation from such post may seat a corresponding number of duly elected alternates, and in the event any post has no regular delegates present, the duly elected alternates shall automatically become the delegates. The vote of absentee qualified delegates from a post may be cast by a majority of the delegates present from the post. The vote of absentee post or posts within a delegation may be cast by a majority of the delegates present from said delegation. In the event of a tie vote in any delegation, the vote of any post not represented by a delegate or alternate shall be disregarded; **and, be it further**

RESOLVED, That Article VI, Section 2 of the Department Bylaws read:

Section 2. The Immediate Past Department Commander shall act as Chairman or Chairwoman of the Department's delegation in each National Convention, and the Department Adjutant shall act as secretary of the delegation.; **and, be it further**

RESOLVED, That Article VI, Section 3 of the Department Bylaws read:

Section 3. The Department's delegates to the National Convention shall be chosen at the District Convention or at a District Caucus to be held at the Department Convention in the following manner: each District shall elect one delegate for each 1,000 members or major fraction thereof. In case the duly elected delegates or alternates from any District is unable to attend the National Convention, the Chairman or Chairwoman of the Department delegation shall be empowered to appoint a delegate to fill the vacancy.; and, be it further

RESOLVED, That Article VI, Section 4 of the Department Bylaws read:

Section 4. Each delegate and alternate to a National Convention shall be required to make a deposit of \$100 with the Department when he or she is notified of his or her election as a delegate or alternate. This deposit to be a surety that such delegate or alternate will attend the convention. Reimbursement of this surety shall be made to a delegate or alternate if he or she notifies the Department at least two weeks prior to the National Convention that he or she cannot go. Otherwise, the money shall revert to the Department. Any delegate chosen to go to a National Convention who does not have both his or her housing questionnaire and \$100 deposit at Department Headquarters prior to the housing deadline date shall automatically be dropped from the delegate list, and an appropriate alternate shall be selected in his or her place.

Delegates to the National Convention shall receive \$400 each as reimbursement for expenses of attending the National Convention, except for those delegates receiving reimbursement to the National Convention from National Headquarters.

Delegates to the Convention are requested to attend the Nebraska Caucus, assigned committee meetings, participate in the Convention parade, and attend general sessions of the National Convention. A delegate shall have \$25 deducted from his or her expense money for each meeting he or she fails to attend, unless excused from such meeting by the delegation chairman or chairwoman.; and, be it further

RESOLVED, That Article VII, Section 1 of the Department Bylaws read:

Section 1. The Area Vice Commanders shall act as representatives of the Department Commander on all matters referred to them by him or her, and shall, on his or her request, preside over the meetings of the Department convention or Department Executive Committee, and perform such other duties as are usually incident to the office. Areas shall be composed of the following Districts of the Department.

Area A – Districts 3 and 8

Area B – Districts 2, 6 and 7

Area C – Districts 10, 11, 12, 13 and 15

Area D – Districts 1, 4, 5 and 9.; and, be it further

RESOLVED, That Article VII, Section 3 of the Department Bylaws read:

Section 3. Each Area Vice Commander shall be required to submit a written report annually to the Department Convention or Department Executive Committee regarding the activities carried on by him or her in his Area during his or her term of office.; and, be it further

RESOLVED, That Article VII, Section 4 of the Department Bylaws read:

Section 4. Expenses incurred by an Area Vice Commander in the conduct of official business within his or her own Area, or when requested by the Department Commander to act as his or her representative at a meeting outside of his or her Area shall be reimbursed by the Department as provided in Section 16 of Article I of the Department Bylaws.; and, be it further

RESOLVED, That Article VIII, Section 3 of the Department Bylaws read:

Section 3. Each District Commander shall have charge of all activities of the Department within his or her district. He or she shall preside at all District meetings and shall be chairman or chairwoman and preside over all caucuses held by his or her district at all Department conventions. Each District Commander shall be responsible for the adoption of a District Constitution and Bylaws in his or her district, in conformity with the National and Department Constitution and Bylaws and shall file a copy at Department Headquarters. Each District Commander shall attend all county meetings and conventions within his or her district. He or she shall, during his or her tenure of office, attend either a regular meeting of each Post within his or her District, or a county meeting or convention held at such Post. He or she shall attend each Government Day held under the Cornhusker Boys' and Girls' Government program in each county in his or her District annually. He or she shall be the coordinator between all Posts and counties in his or her District and the Area Vice Commander for that Area and Department Headquarters.

Each District Commander shall submit an annual written report of his activities at the district convention.

Each District Commander shall appoint, upon request, a district Chairman or Chairwoman to represent all Department committees on a district level. The duty of said district chairman or chairwoman shall be one of liaison between the Department chairman or chairwoman and the Posts as a representative of the District Commander.

Each District Commander shall file a quarterly report with Department Headquarters regarding his or her activities and trips within his or her district. Upon receipt of this report, Department Headquarters will issue to him or her expenses as allowed in Article I, Section 16, of the Department Bylaws.

The District Commander shall be the membership chairman or chairwoman for his or her district and be responsible for attaining the membership quotas. The District Commander shall perform such other duties usually incident to his or her office, or requested by the Area Vice Commander or Department Commander.

No District Commander shall call any meeting outside of his or her district or embracing any Posts outside thereof except as provided in Section 8, Article VIII, of the Bylaws of The American Legion, Department of Nebraska.; and, be it further

RESOLVED, That Article VIII, Section 4 of the Department Bylaws read:

Section 4. The District Vice Commander shall perform all duties required of him or her by the District Commander and by the District Bylaws. In the absence or disqualification of a District Commander, the District Vice Commander shall perform the duties of the District Commander, until such disqualification is removed or such vacancy filled.; and, be it further

RESOLVED, That Article VIII, Section 5 of the Department Bylaws read:

Section 5. Each District Commander shall appoint a District Adjutant who shall be secretary of all District meetings, conventions and caucuses, and said Adjutant shall perform such other duties as are required of him or her by the District Commander.; and, be it further

RESOLVED, That Article VIII, Section 6 of the Department Bylaws read:

Section 6. A District Service Officer shall be appointed by each District Commander. The District Service Officer shall coordinate rehabilitation work in the district with the Department Service Officer. He or she shall visit each Post Service Officer once during each year, inspecting the supply of forms in possession of the Post Service Officer; and offering assistance in any way. Such visits to the Posts shall be in company with the District Commander whenever possible. The District Service Officer shall attend all Department Service Officer Schools. He or she shall file an annual report; two weeks prior to the Department Convention with the

Department Rehabilitation Committee. The District Service Officer shall instruct members of the American Legion Auxiliary concerning veterans' benefits at Auxiliary meetings, whenever possible.; **and, be it further**

RESOLVED, That Article VIII, Section 8 of the Department Bylaws read:

Section 8. A district convention shall be held annually in each District in the Department at a time to be fixed by, and at the call of the Department Commander and the Department Executive Committee. The place of the District Convention shall be determined by the district by a vote at the previous District convention.

Provided, that should Districts 12 and 15 wish to combine for a District Convention, such action is hereby approved. Should District 15 extend an invitation to District 12 to be host to a combined convention that would be permissible, and District 12 could vote to accept such an invitation. Provided, further that in the election of officers and transaction of business pertinent only to District 12, no vote could be cast by members of District 15 in a joint convention with District 12, since 15 elects their own officers. The foregoing shall not be construed to be in violation of the last paragraph of Section 2 of Article VIII of the Department Bylaws, which states that no District Commander shall call any meeting outside of his **or her** District or embracing any Posts outside thereof.; **and, be it further**

RESOLVED, That Article IX, Section 1 of the Department Bylaws read:

Section 1. The County Commander, in addition to being a member of the District Executive Committee shall preside at all county meetings. He **or she** shall be the membership chairman or chairwoman for his **or her** county and shall be responsible for attaining the membership quota. He **or she** shall be responsible for the adoption of a County Constitution and Bylaws, in conformity with the National and Department Constitution and Bylaws, copies of which shall be filed with the District Commander and at Department Headquarters. He **or she** shall call at least two county meetings each year, to be held at different posts. A county convention shall also be held prior to the district convention for the purpose of electing county officers. The County Commander shall attend all meetings of the District Executive Committee, and shall represent the county organization at all functions where his/ **or her** presence is requested. He **or she** shall stimulate rehabilitation work throughout the posts in his county. A written annual report shall be submitted by the County Commander at the county convention and then transmitted to the District Commander. It shall be the function of the County Commander to conduct county caucuses at each Department Convention. He **or she** shall coordinate county functions and activities with the American Legion Auxiliary. The County Commander shall have as his **or her** responsibility the carrying out of all American Legion sponsored programs on a county level, particularly Cornhusker Boys' and Girls' County Government.; **and, be it further**

RESOLVED, That Article IX, Section 2 of the Department Bylaws read:

Section 2. The County Vice Commander shall perform all duties required of him **or her** by the County Commander and by the County Bylaws. In the absence or disqualification of a County Commander, the County Vice Commander shall perform the duties of the County Commander, until such disqualifications are removed or such vacancy filled.; **and, be it further**

RESOLVED, That Article IX, Section 3 of the Department Bylaws read:

Section 3. Each County Commander shall appoint a County Adjutant who shall be the secretary of all county meetings, conventions and caucuses and said Adjutant shall perform such other duties as are required of him **or her** by the County Commander.; **and, be it further**

RESOLVED, That Article IX, Section 4 of the Department Bylaws read:

Section 4. No County Commander shall call any meeting outside of his **or her** county or embracing any Posts outside thereof.; **and, be it finally**

RESOLVED, That Article XI, Section 2 of the Department Bylaws read:

Section 2. When there appears cause for the discipline of a member of The American Legion, any member of any post in the Department may file a written complaint under oath with the Adjutant of the Post, or Commander if the Adjutant is complained against or which the person complained against, is a member, or where he or she resides, stating the grounds of the complaint. The post Adjutant or Commander shall immediately notify the post executive committee of such complaint and they shall immediately fix a time and place of hearing not less than 10 days nor more than 30 days from the date of filing of the complaint, at which time a hearing shall be had before the post executive committee, who shall immediately determine by a majority vote whether to reprimand, suspend or expel the member complained against, or dismiss the complaint. Prior to such hearing the Post Adjutant, or the Commander if the Adjutant is disqualified, shall notify the person complained against, in writing by registered mail, of the substance of the charges filed against him or her and of the time and place of hearing, which notice shall be mailed at least 10 days prior to the date of the hearing. In the event of the disqualification of any member of the executive committee, the remaining member or members may fill the committee from members of the post.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 6-26

Subject: Changes to Discipline In Department Bylaws

Submitted by: D8

Referred to:
(1) Constitution and Bylaws CMTE

WHEREAS, the issue of discipline is noted in both the National American Legion and Department of Nebraska American Legion Bylaws;

WHEREAS, American Legion Posts and Legionnaires within the Department of Nebraska American Legion are compelled to follow the disciplinary procedures detailed in the Department of Nebraska American Legion Bylaws, Article XI;

WHEREAS, The American Legion, Department of Nebraska District 8, having researched twelve different state Department Constitutions and Bylaws and their provisions regarding discipline, contends large portions of The Department of Nebraska American Legion Bylaws, Article XI, is overly cumbersome, complex, needlessly tedious, and not readily comprehensible by those who do not possess a juris doctorate degree;

WHEREAS, The American Legion, Department of Nebraska District 8 contends the provisions of Article XI, Sections 3 through 5 place an undue hardship on Department of Nebraska American Legion Posts;

WHEREAS, The American Legion, Department of Nebraska District 8 finds hardships herein to mean professional, licensed legal counsel is required to properly execute the provisions of Nebraska American Legion Bylaws, Article XI, Sections 3 through 5;

WHEREAS, The American Legion, Department of Nebraska District 8 contends retaining professional, licensed legal counsel is cost-prohibitive and thus places an undue hardship on Nebraska Legionnaires as well as likely Department of Nebraska American Legion Posts;

WHEREAS, The American Legion, Department of Nebraska District 8 finds there are no provisions within The American Legion, Department of Nebraska Bylaws to prefer charges specifically against Department, Area, District or County officers;

WHEREAS, The American Legion, Department of Nebraska District 8 recognizes the procedures detailed in the Department of Nebraska American Legion Bylaws, Article XI, do relate specifically to disciplinary hearings; such hearings are not courts of law;

WHEREAS, The American Legion, Department of Nebraska District 8 contends it is nonsensical to expect Department of Nebraska American Legion members to be versed in the intricacies of Nebraska civil law as referenced in Department of Nebraska American Legion Bylaws, Article XI, Section 4;

WHEREAS, The American Legion, Department of Nebraska District 8 contends the procedures detailed in the totality of Nebraska American Legion Bylaws, Article XI, should be easily understandable by all Department of Nebraska American Legion members;

WHEREAS, The Department of Nebraska American Legion Bylaws do allow for amendments to the Department of Nebraska Bylaws; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the disciplinary procedures found in the Department Bylaws to be inadequate; and, be it further

RESOLVED, That Article XI, Section 3 of the Department Bylaws read:

~~Section 3. Either complainant or accused may appeal to the Department Executive Committee from the decision of the post executive committee, by giving written notice to the adverse party and to the Department Adjutant within 10 days of the date of the decision of the post executive committee, and the Department Adjutant and Commander shall fix a time and place of hearing as provided in Section 1 of this Article, and send notices thereof to each party as provided in said section and the Department Executive Committee shall hear and determine the matter on the date specified and upon a majority vote of said committee. Such decision shall be final.~~ Section 3. Post Members Appeal Process. The accused Post member (appellant) may appeal the Post Executive Committee disciplinary decision to the Department Executive Committee. Said appeal must be in written format and filed with the Department Adjutant within thirty (30) calendar days of the decision of the appellant's Post Executive Committee. The Department Adjutant will inform, in writing, the appellant's Post Commander within 10 days of receipt of the notice to appeal. The Department Adjutant, in consultation with the Department Commander, will set an appeal hearing date, time, and location. This date will be within sixty (60) calendar days of receiving the appeal notice. The Department Adjutant will, in writing, make the appellant, appellant's Post Adjutant, and Department Executive Committee members aware of this date, time and location. Within fifteen (15) days of being notified of the appeal, the appellant's Post Commander or Adjutant will provide the Department Adjutant and appellant with a true copy of the disciplinary hearing transcript and copies of any other material (evidence), if any, used during the appellant's Post disciplinary hearing; costs of these copies will be borne by the appellant's Post. The Department Adjutant will provide each Department Executive Committee member with a copy of the material received from the appellant's Post no later than seven (7) calendar days prior to the Department Executive Committee hearing; costs of these materials will be borne by the Department. Department Executive Committee members are forbidden from discussing all matters of this appeal with any person, to include other Department Executive Committee members, prior to the commencement of the hearing. The appellant's Post Executive Committee will appoint a member or members of the Post to represent the Post or the Post may retain counsel to represent the Post. The appellant may represent himself or herself or be represented by a counsel of his or her choosing. If either party chooses to use counsel, all incurred costs are the responsibility of the party represented. The Department Executive Committee will hear the appeal. At the request of the appellant or appellant's Post representative(s), members of the Department Executive Committee may be recused from the hearing. Such recusal requests, with justification, will be made by the appellant and/or appellant's Post representative(s) at the beginning of the hearing. The Department Judge Advocate will determine the validity of the recusal requests and make a final determination as to any recusals prior to continuing the hearing. Any recused Department Executive Committee member(s) will be excused from the hearing. The hearing will be based solely upon the evidence considered by the appellant's Post Executive Committee as 1) contained in the transcripts of the hearing and 2) other material (evidence), if any, provided to the appellant's Post Executive Committee and 3) oral argument of the appellant and appellant's Post representative(s); oral argument is limited to thirty (30) minutes per party. A majority vote of the Department Executive Committee hearing the matter will determine the disposition of the case; this decision will constitute the final decision. If the appellant fails to appear at the Department Executive Committee hearing, or the appellant withdraws his or her appeal prior to the commencement of the hearing, then the decision of the appellant's Post is considered final. Any Post disciplinary measures will be suspended if a member's matter is referred to a city, township, county, state or federal criminal court. Upon completion of any forementioned criminal proceedings, the Post may reinstitute disciplinary proceedings.; and, be it further

RESOLVED, That Article XI, Section 4 of the Department Bylaws read of the Department Constitution read:

~~Section 4. Hearings before the post executive committee and before the Department Executive Committee shall be conducted as nearly as practicable in the manner of the trial of civil cases in the courts of Nebraska. The Commander shall preside at the hearings and the Adjutant shall act as clerk. Either party may be represented by counsel at his own expense. Either party may make a record of the proceedings at his own expense. If the Department Executive Committee desires, a record of the proceedings and testimony may be made at the expense of the Department.~~

Section 1. Discipline of Department, Area, District, and County Officers. A member of any Post in the Department may file a written complaint (charges) with the Department Adjutant against elected or appointed Department, Area, District, and County officers. Such complaints (charges) must be filed within thirty (30) calendar days of an alleged offense(s). Valid charges include: disloyalty; dishonesty; conduct unbecoming a member of The American Legion; neglect of duty. If the Department Commander is the person complained against then the Department Senior Vice Commander will perform the duties of the Department Commander. If the Department Adjutant is the person complained against then the Department Assistant Adjutant will assume Adjutant duties relating to this matter. If the Department Judge Advocate is complained against then the Department Commander will select a acting Judge Advocate from among state Post Judge Advocates. The Department Adjutant, in consultation with the Department Commander, will set a date for a hearing to occur within sixty (60) calendar days of receiving the complaint. No members of the Department Executive Committee will serve as a jury member. The Department Adjutant, in consultation with the Department Judge Advocate, will select seven (7) Legionnaires in good standing within the state to serve as the jury. No jury member or acting Judge Advocate will be a member of the same District as either the complainant or defendant. The Department Judge Advocate will sit as the chair of the hearing and of the jury but will have no vote and may provide legal counsel to the jury. The Department Adjutant will make the jury, complainant and defendant aware of the date, time, and place of the hearing within ten (10) days of receiving the complaint. The complainant and defendant may submit evidence to the Department Adjutant; such evidence must be provided to the Adjutant no later than fifteen (15) calendar days prior to the hearing. The Department Adjutant will provide the jury, the complainant and defendant with copies of all submitted evidence no later than seven (7) calendar days prior to the hearing; cost of materials will be borne by the Department. Jury members are forbidden from discussing all matters of this case with any person, to include other jury members, prior to the commencement of the hearing. Both the complainant and defendant may represent themselves or can be represented by a person or counsel of his or her choosing. If either party chooses to use counsel, all incurred costs are the responsibility of the party represented. Jury members are permitted to ask questions of each party; questions must be relevant to the case. The jury will hear the case and the case will be recorded. The hearing will be based solely upon the evidence provided by the complainant and/or defendant as well as oral testimony; such oral testimony is limited to thirty (30) minutes per party. A majority vote of the jury will determine the disposition of the case; this decision will constitute the final decision. Any Department disciplinary measures will be suspended if a member's matter is referred to a city, township, county, state or federal criminal court. Upon completion of any forementioned criminal proceedings, the Department may reinitiate disciplinary proceedings.; and, be it finally

RESOLVED, That Article XI, Section 5 of the Department Bylaws be deleted as the complete procedures are now covered in the above proposed Article XI, Section 3;

~~Section 5. Rules of Procedure for Appeals to the Department Executive Committee:~~

~~1. Procedure on Appeal: (a) Perfecting of Appeal. Every appeal shall be deemed perfected on filing written notice of appeal with the Department Adjutant and giving written notice to the adverse party within 10 days of the decision of the post executive committee. (b) Docketing of cause. Upon forwarding such notice of appeal to the Department Adjutant, the Department Adjutant shall thereupon docket the case designating the party or parties having filed notice of appeal in the court below as appellant or appellants, and all other parties as appellees. (c) Transcripts. Within one month from the date of filing of notice of appeal, the Post Adjutant or the~~

~~Post Commander, if the Adjutant be disqualified, shall prepare and file with the Department Adjutant a transcript certified as true copy of the proceedings contained therein.~~

~~2. Transcripts. (a) Contents. The transcript shall contain: 1. The pleadings upon which the case was tried; 2. The decision of the post executive committee; 3. Such other parts of the record as the party appealing may desire to include therein. Neither the form nor substance of such transcripts shall affect the jurisdiction of the Department Executive Committee. (b) Supplemental Transcript. After the original transcript is filed in the Adjutant's office, any party may without leave of court file a supplemental transcript containing any matters omitted from the original transcript. All supplemental transcripts must be filed prior to the day the cause is submitted to the Department Executive Committee.~~

~~3. Bill of Exceptions. (a) In all appeals where in review of some or all of the findings of fact is asked by the appellant, the Department Executive Committee shall retry the issue or issues of fact involved in finding or findings of fact complained of upon the evidence preserved in the bill of exceptions, providing such evidence has been taken and preserved, in all other cases where the evidence has not been preserved, the Department Executive Committee shall try the case as if it were an original action filed with the local post executive committee (provided further that upon 10 days written notice to adverse party and the Department Adjutant either the appellant or appellee shall have the right to introduce testimony at the appeal hearing not preserved in a bill of exceptions, said notice to give the names and addresses of the witnesses and a brief statement as to the contents of their testimony.) (b) Filing. The bill of exceptions must be filed with the Department Adjutant at any time prior to the submission of the case. (c) Contents. The bill of exceptions shall have: 1. An index forming the first page thereof, showing initial page of the direct, cross and further examination of each witness; 2. As to depositions and other exhibits, the initial page were identified, offered, received and found; 3. All depositions, exhibits or papers contained in the bill of exceptions must, when practicable, be inserted therein; 4. A certificate by the reporter that the foregoing is a full and complete record of all the evidence adduced, exhibits offered and other proceedings had, in the hearing naming the post and the parties and giving the date of the hearing.~~

~~4. Briefs. (a) Order and Contents of Brief. The brief shall contain the following matters in the order herein set forth: (1) Index (2) Statement of questions involved (3) State of the case (4) Assignment of errors (5) Propositions of law (6) Statement of facts (7) Argument (b) Brief of Appellee. 1. Order and Contents of Brief. The brief shall contain the following matters in the order herein set forth: (1) Index (2) Statement of the questions involved, if appellant's statement thereof is not accepted as correct. (3) Statement of the case, if appellant's statement thereof is not accepted as correct. (4) Proposition of law (5) Statement of facts if appellant's statement is not accepted as correct. (6) Argument. (c) How Prepared. All briefs may be printed, type or written in ink, on plain white paper so they are readily legible. (d) Filing and Service. (1) In all appeal cases the appellant shall file his brief with the Department Adjutant and proof of service thereof on the appellee within one month from the date the transcript is filed. (2) Within one month after the appellant has served and filed his brief, the appellee shall serve his brief on the appellant and file the same, together with proof of service thereof, with the Department Adjutant. (3) Brief day in any case may be extended or shortened by the Department Executive Committee by giving the parties written notice but said parties shall have a minimum of ten days in which to prepare and file briefs.~~

~~5. Defaults. Whenever the brief of the appellant is not on file by brief day, the decision of the local post will be affirmed or the proceedings 35 dismissed, unless on sufficient showing it is otherwise ordered by the Department Executive Committee.~~

~~6. Oral Argument. In the Oral argument of a case, the time allowed on each side shall not exceed thirty minutes, unless the time be extended by the Department Executive Committee for special reasons.~~

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 7-25

Subject: Repository of District and County Constitution and Bylaws

Submitted by: D8

Referred to:
(1) Constitution and Bylaws CMTE

WHEREAS, Recognizing The American Legion Department of Nebraska does have an accepted and published Department Constitution and By-laws;

WHEREAS, Recognizing the Department of Nebraska By-laws, Article VIII, Section 3 requires a District Commander to be responsible for the adoption of a District Constitution and Bylaws in his district, in conformity with the National and Department Constitution and Bylaws and shall file a copy at Department Headquarters;

WHEREAS, Recognizing the Department of Nebraska By-laws, Article IX, Section 1 requires a County Commander to be responsible for the adoption of a County Constitution and Bylaws, in conformity with the National and Department Constitution and Bylaws, copies of which shall be filed with the District Commander and at Department Headquarters;

WHEREAS, There is no central repository of District or County Bylaws available to Nebraska Legionnaires other than those filed at the Department Headquarters;

WHEREAS, The Department of Nebraska does maintain a website that does have a dedicated space for the Department Constitution and By-laws;

WHEREAS, The Department of Nebraska American Legion Bylaws do allow for amendments to the Department of Nebraska Constitution and Bylaws; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That Nebraska Legionnaires would be better served by having a readily available central repository of District and County Constitution and Bylaws; and, be it finally

RESOLVED, That Article I, Section 8 of the Department Bylaws read:

Section 8. DUTIES OF DEPARTMENT ADJUTANT. The Department Adjutant shall be entrusted with the keeping of the records of all official meetings of the Department and with the custody of other Department records of various kinds. He or she shall act as a coordinator in carrying out the policies and mandates of the Department convention, the Department Executive Committee, and the Department Commander. He or she shall be an ex-officio secretary of such subsidiary corporations as may be formed under the sponsorship of The American Legion, Department of Nebraska, to carry on such programs. He or she shall be charged with the employment of clerical and administrative help at Department Headquarters, and shall be held responsible for the faithful performance of duties by such employed personnel. He or she is responsible for ensuring all District and County Commanders do provide the Department with a current copy of each's Constitution and Bylaws and will ensure such copies are posted to the Department website. He or she shall perform such other duties as are usually incident to the office.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 8-25

Subject: Legionnaire Submission of Proposed
Amendments

Submitted by: D8

Referred to:
(1) Constitution and Bylaws CMTE

WHEREAS, Recognizing the American Legion Department of Nebraska does have an accepted and published Department Constitution and By-laws;

WHEREAS, Recognizing the Department of Nebraska Constitution, Article XVII, Section 1 specifies how the Department Constitution may be amended;

WHEREAS, Upon review, there are no instructions provided within the Department Constitution or Bylaws detailing the process as to how Nebraska Legionnaires might propose amendments to the Department Constitution or Bylaws;

WHEREAS, The Department of Nebraska American Legion Constitution does allow for amendments to the Department of Nebraska Constitution; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the procedures for submitting amendments by Legionnaires is not clearly defined; and, be it finally

RESOLVED, That a new section within the Department Constitution, under the current Article XVII, be added to the to read

Section 2. Any Department of Nebraska Legionnaire in good standing may submit proposed amendments to the Department Constitution and Bylaws; proposed amendments must be written in proper resolution form. Proposed amendments must first be presented at a District convention. The District Commander will ensure any proposed amendment is in proper resolution form. The District Commander will present received proposed amendments to the attendees of his or her District convention. Accepting proposed amendments requires a vote of two-thirds of District convention attendees. District-accepted proposed amendments will be sent by the District Commander to the Department Adjutant no later than April 1 annually.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 9-25

Subject: Renaming 100% Membership Award

Submitted by: D1

Referred to:
(1) Membership Committee

WHEREAS, Several American Legion District One Commanders have been recipient of the Department 100% District pins; and

WHEREAS, This is a special award which has been achieved by Dean Huckfeldt, Donald E Nelson and Gary Sones; and

WHEREAS, Past and now deceased State Commander Virgil Hagel had been a driving force and major influencer in District One, especially membership and resolutions; and

WHEREAS, The members of District One American Legion Department of Nebraska have been the workers to achieve this award; and

WHEREAS, Gary Sones is the only known Legionnaire in the Department of Nebraska to receive this award twice; and

WHEREAS, The District One American Legion Members are overly proud of these achievements; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the name of the 100% District Commander Pin be named the HAGEL SONES District 100% PIN; and, be it finally

RESOLVED, That District One will make a monetary award to any and all 100% recipients of this District 100% award of \$200 each from this date forward.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 10-25

Subject: Establish Department Gaming Committee

Submitted by: D5

Referred to:

- (1) DEC
- (2) Constitution & Bylaws CMTE
- (3) VA&R CMTE

WHEREAS, According to the Department of Veterans Affairs 2021 National Veteran Suicide Prevention report, an average of 17.2 veterans committed suicide per day in 2019; and

WHEREAS, According to the Department of Veterans Affairs, 11-20% of veterans who served in Operations Iraqi Freedom and Enduring Freedom, 12% of Gulf War Veterans, and 15% of Vietnam Veterans have PTSD in any given year; and

WHEREAS, Mental health conditions are treatable, with the VA offering a wide range of effective treatments and services for veterans with mental health conditions, including a bundled public health approach involving multiple sectors, including the media and entertainment industries; and

WHEREAS, According to studies conducted by WebMD and reviewed by Dan Brennan, MD, playing video games has numerous benefits for mental health, including mental stimulation, feeling accomplished, mental health recovery, social interaction, and emotional resilience; and

WHEREAS, On May 22, 2019, Mike Richman from VA Research Communications reported that studies with a small sample of veterans trying to recover from mental health issues found that video games can help in overcoming such problems as PTSD and substance abuse disorders; and

WHEREAS, Dr. Michelle Colder Carras, a public health researcher, led a study that appeared in the journal Social Science & Medicine and wrote that gameplay can promote a mindfulness-like psychological escape but can also provide users with benefits of confidence, social connection, personal growth, and opportunities for employment or even leadership, which are accessible to people with disabilities facing traditional treatment or social interaction challenges; and

WHEREAS, Dr. Michelle Colder Carras noted that participants in that study described using video games to "distract from overwhelming symptoms, including suicidal thoughts and drug and alcohol use"; and

WHEREAS, Nasdaq reports that the gaming community and market are gaining traction, surpassing traditional industries such as movies and music combined while across the globe, billions of people indulge in video games daily, breaking barriers of age, gender, culture, and society; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That Department Bylaws Article XI be amended to include Section 14:

“Section 14. DEPARTMENT GAMING COMMITTEE: Each year the Department Commander shall appoint a five (5) member Department Gaming Committee for the purpose of researching and studying the effects of gaming within the organization for social interaction among its interested members and the veteran community at large in regard to veterans' mental health and potential for membership and business enhancement in support of American Legion Programs.”; and, be it further

RESOLVED, That this Committee shall collaborate and establish relationships with other military gaming charities and organizations; and, be it finally

RESOLVED, That the Gaming Committee make semiannual reports to the Veterans Affairs & Rehabilitation Commission and the Department Executive Committee regarding findings and recommendations.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 11-25

Subject: Establish Team Nebraska Fund
Committee

Submitted by: PDC's

Referred to:
(1) Constitution & Bylaws CMTE
(2) Finance CMTE

WHEREAS, The American Legion, Department of Nebraska embarked on a campaign in 2006 to elect a National Commander from Nebraska; and

WHEREAS, This same task had not been accomplished since the election of William E. (Bill) Galbraith in 1967; and

WHEREAS, The American Legion Auxiliary, the Sons of The American Legion, and the Nebraska American Legion Riders joined with The American Legion, Department of Nebraska, to become known as "Team Nebraska" for this effort; and

WHEREAS, Many funds were raised and much time and effort was expended by the entire Legion family for this project; and

WHEREAS, There are funds remaining from that campaign that are held in safekeeping and invested by The American Legion, Department of Nebraska; and

WHEREAS, These funds are held in trust with the principal remaining whole and only the interest being made available for authorized purposes of The American Legion family; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That, pursuant to Article III, Section 1 of the Bylaws of The American Legion, Department of Nebraska, the Department Executive Committee shall establish a standing committee to be charged with administration of said fund expenditures; and, be it further

RESOLVED, That the standing committee be named the "Team Nebraska Fund"; and, be it further

RESOLVED, That the committee membership shall include three (3) Legionnaires at large, serving three-year terms on a staggered basis, and one (1) initial emeritus member-while living; and, be it further

RESOLVED, That emeritus member shall be Mike Helm, and initial committee members being Bob Craig, Don Suchy, and Doug Boldt; and, be it further

RESOLVED, That the President of the Nebraska American Legion Auxiliary, Commander of the Sons of The American Legion, and Legion Riders Liaison, or the individual appointed by those positions, be "consultants" to said committee with voice only; and, be it further

RESOLVED, That the duties of the committee shall be to establish grant guidelines and to receive and review grant requests from bodies of the Nebraska Legion Family for use of the good of the Nebraska Legion Family, and to forward such recommendations for expenditures to the Department Executive Committee for its consideration and action; and, be it finally

RESOLVED, That, if adopted, this action be accomplished beginning with the 2025-2026 fiscal year.

ARTICLE III STANDING COMMITTEES

Section 1. The Department convention or the Department Executive Committee may, from time to time, authorize such standing committees as it sees fit, with such duties and powers as are provided in the action authorizing same. The Department Executive Committee shall have the power at any time to increase, decrease or abolish any committee created pursuant to this section. All committee members shall be appointed at the Department Executive Committee meeting held immediately prior to each Department Convention. The retiring Department Commander shall submit a list of recommendations for committee appointments to the Department Executive Committee members at least two weeks prior to this meeting. Committee members may be named from these recommendations or from other recommendations made by the Department Executive Committee members, all subject to approval by the Department Executive Committee. In the event that a recommendations list is not supplied before such a date by the retiring Department Commander, members of the Department Executive Committee shall be notified immediately by the Department Adjutant, and the committee vacancies will then be filled by nomination and approval of committee members by the Department Executive Committee at the meeting immediately preceding the Department Convention. With the exception of the Legislative Committee, and the Constitution and Bylaws Committee, no member of the Department Executive Committee shall serve on a standing committee.

As soon as practical following the Department convention, the incoming Department Commander, solely at his discretion, shall name the chairman of the standing committees from the previously determined membership of each committee with the exception of the Athletic Committee which shall elect its own chairman. Each Department standing committee shall select a Vice Chairman.

Section 2. Each Department Standing committee, except the Constitution and Bylaws Committee and the Athletic Committee, shall be required to meet within one month prior to the Department Executive Committee meeting held immediately before the Department Convention each year, and present in writing to the Department Executive Committee at its meeting a report of committee activities for the past year together with a recommended program of such committee activities for the ensuing year, and the Department Executive Committee shall take appropriate action in approving, disapproving, amending and implementing such program. Each Department standing committee, except the Constitution and Bylaws Committee, shall meet within one month prior to the Mid-Year meeting of the Department Executive Committee and submit to that committee a report of their activities and suggested program.

This shall not be construed as a limitation on the number of meetings to be held by any standing committee.

Section 3. Meetings of the various standing committees shall be held at the call of the chairman, or as requested by the Department Commander or the Department Executive Committee. Any committee member that misses two consecutive meetings will be removed from that committee unless excused. The Committee Chairman will be responsible for determining whether or not any excuse offered is valid or invalid. Expenses of standing committee members incurred at such meetings shall be submitted to the committee chairman for approval, and committee members shall be reimbursed for their actual expenses in accordance with the provisions of Section 16 of Article I of these Bylaws.

Section 4. The Department of Nebraska shall annually prepare and distribute to all Posts a booklet incorporating proposed programs suggested by various committees and, outlining suggested programs and activities on the Post level.

Section 5. Each Department committee may furnish at least two articles during each year for publication in ***The Nebraska Legionnaire***, concerning the activities and programs originating in that committee. Each committee shall also be charged with dissemination of information and

suggested activities on its programs to the various Posts of the Department for their guidance through Department Headquarters.

Section 6. AMERICANISM COMMITTEE. The purpose of this committee shall be to inspire patriotism and to promote good citizenship. This shall be done by implementation of but not limited to the following:

1. Promotion of Boy Scouts of America and sponsorship of Scout Units by Posts.
2. Promotion of local community service programs and projects that lead to the betterment of local moral and spiritual values.
3. Ensure that each county conducts and carries out the activities of Cornhusker Boys and Girls County Government.
4. Initiate, promote, and carry out programs directed toward the discipline responsibilities of Law and Order.
5. Develop interest in the American Legion High School Oratorical program, supervise local and district contests, and conduct the State Oratorical Contest.

Membership on this committee shall be eight members with eight members appointed to allow two representatives from each of the four Legion areas in the state. Membership on this committee will be staggered with a maximum four year appointment for any member. The committee chairman, with the approval of the Department Commander, shall appoint one member of the committee to serve as subcommittee chairman of the Law & Order program and one member of the committee to serve as subcommittee chairman of the Oratorical program. Subcommittee chairmen may utilize other committee members as needed to fulfill the program obligations.

Section 7. ATHLETIC COMMITTEE. The Athletic Committee shall be composed of nine members, with one member appointed at-large and two from each Area from the Department. Members will serve terms of four years each. Chairmanship of the committee shall be determined by the members of the committee.

The Athletic Committee shall conduct at least three meetings annually. One meeting shall be held at the conclusion of the baseball season, a second meeting during the Mid-Year Conference at which time tournament bids for the coming year will be accepted, and the third meeting in June each year. Other meetings may be called by the chairman or by five members of the committee.

Chairman is director of the state final Senior Baseball tournaments. The chairman shall assign committee members to assist with tournaments as required.

The Athletic Committee Chairman will represent the Department of Nebraska at the annual American Legion Baseball Conference which is called and financed by the National organization of The American Legion.

Section 8. CHILDREN AND YOUTH COMMITTEE. The Children and Youth Committee shall be composed of four members with members appointed to represent each of the four Legion Areas in the Department. Membership on this committee shall be staggered with a maximum of a four-year appointment for any member.

The Department Commander of The American Legion, the Department President of the American Legion Auxiliary, the Grande Chef de Gare of the 40 and 8, the Chapeau Departmental of the 8 and 40, and the Children and Youth Chairman of the American Legion Auxiliary, the 40 and 8, the 8 and 40, the Nebraska representative on the National Children and Youth Commission, along with the Children and Youth Committee shall comprise the Coordinated Children and Youth Committee.

The primary objectives of the Children and Youth program will be (1) to insure care and protection of the children of veterans, (2) to improve conditions for all children, and (3) to include education and scholarship activities of The American Legion.

Section 9. FINANCE COMMITTEE. The Department Finance Committee shall be composed of four members. Each member of this committee shall serve for a period of four years. The appointments shall be made by the Department Commander with the approval of the Department Executive Committee.

The Finance Committee shall submit to the Department Executive Committee at its pre-convention meeting a proposed budget for the ensuing fiscal year. It shall give advice and make recommendations to the Department Executive Committee on financial matters of the Department.

Section 10. LEGISLATIVE COMMITTEE. The Legislative Committee shall be charged with the responsibility of studying legislation affecting the programs of The American Legion. It shall propose needed legislation and sponsor passage of such bills as may be approved by the Department Executive Committee. This committee likewise is charged with the responsibility of analyzing all bills introduced in the Nebraska Legislature to determine their affect upon the programs of The American Legion, and shall report recommendations with respect thereto to the Department Executive Committee.

This committee shall be comprised of the Department Commander, Immediate Past Department Commander, Department Adjutant, and one additional member.

The Department Commander shall appoint one member to the committee for a two year period.

This committee shall also serve as the Department's representatives on the Nebraska Veterans Council.

Section 11. MEMBERSHIP COMMITTEE. The Membership Committee shall be composed of four members, the terms of appointment for any one member not to exceed four years.

The Membership Committee shall have as its duties the administration of the permanent membership plan adopted by the Department Executive Committee and to handle all phases of the membership program in concert with the Finance Committee. It shall be the duty of this committee to furnish such reports as the Department Executive Committee may request.

The Membership Committee shall adopt such recording procedures and rules governing the administration of the permanent membership program as required for proper maintenance of the permanent membership records, such rules to be approved by the Department Executive Committee.

Section 12. PUBLICATIONS AND PUBLIC RELATIONS COMMITTEE. This committee shall be composed of four members and shall supervise the business affairs of whatsoever publications the Department may authorize. It shall arrange whatever contracts may be necessary with publishers and submit same to the Department Executive Committee for approval. The committee shall prepare such materials and aids which will assist posts in carrying out an effective public relations program with the media of communication in the local communities. This committee shall assist Department and District officers in preparing publicity releases and in carrying out a vigorous public relations program.

Section 13. REHABILITATION AND EMPLOYMENT COMMITTEE. This committee shall be composed of four members and shall provide impetus to a program of veterans rehabilitation throughout the State of Nebraska. It shall encourage active participation and coordination in the

work of the Post Service Officers, District Service Officers and the Department Service Office in the established framework of the American Legion Veterans' Service System. The committee shall recommend action to the Department convention or to the Department Executive Committee, in connection with programs, policies, procedures or legislation dealing with veterans' rehabilitation. The committee shall cooperate with other organizations on service and rehabilitation matters. It shall devise and implement programs to make the service work of The American Legion in Nebraska more effective. The committee shall assist in the fostering and developing the Veterans Volunteer Representative Program in close cooperation with the Nebraska State Employment Service and the Veterans Employment Service; to assist and work with the Employment officer in each Post; to sponsor the annual American Legion Award to the outstanding employer of the physically handicapped and to cooperate with state and city committees for the promotion of employing the physically handicapped.

Section 14. CONVENTION COMMITTEE. This Committee shall be composed of four members who will initially be appointed to serve staggered terms from one to four years. The committee will work in cooperation between the Department and the Host Post in planning and staging the annual Department Convention and the Mid-Year Conference. The Committee will be responsible to carry out the guidelines for the convention and conference which have been adopted by the Department Executive Committee.

Section 15. BOYS STATE COMMITTEE. The Department Boys State Committee shall be composed of four members, originally appointed on a staggering term not to exceed four years in length. Members of the Boys State Committee shall also be members of the Board of Directors of Cornhusker Boys State Corporation.

Section 16. DISTINGUISHED GUESTS COMMITTEE. This committee shall consist of the National Executive Committeeman, the Alternate National Executive Committeeman and whoever else the Department Commander shall appoint. It shall greet, transport and entertain any distinguished guest that may attend the Department Convention, Mid-Year Conference or any other department function.

Section 17. TEMPORARY COMMITTEES. The Department Commander, with the advice and consent of the Department Executive Committee, may from time to time, appoint Temporary Committees whose functions shall terminate with the expiration of the term of the appointing Department Commander. Such Temporary Committees have such duties and powers as are provided in the action authorizing the same and shall be reimbursed according to Article I, Section 16 of the Bylaws.

Section 18. NEBRASKA VETERANS HOME BOARD. (Nebraska Veterans' Home) Pursuant to Neb. RRS 80-305 and the option granted therein to the American Legion to appoint two of its members to serve on the Nebraska Veterans Home Board in place of the Department Commander and immediate past Department Commander, commencing in 1982, the Department Commander, at the Department Executive Committee meeting preceding the annual Department Convention, shall appoint one member to serve on said Board for a term of four years. Every succeeding two years thereafter, one four-year term shall be made to said Board in accordance with this Section.

Section 19. CONSTITUTION AND BYLAWS COMMITTEE. This Committee shall be composed of four members, two of whom shall be the Department Judge Advocate and the Department Adjutant. The remaining two members will initially be appointed to serve staggered terms from one to two years. The committee shall meet annually after April 15 and prior to forty (40) days immediately preceding the annual Department Convention to review all proposed amendments to the Constitution of The American Legion, Department of Nebraska to ensure all amendments are in proper form prior to submission to the Convention Constitution and Bylaws Committee. The Constitution and Bylaws Committee shall further review all amendments to the Bylaws of the American Legion, Department of Nebraska to ensure the proposed amendments

are in proper form, subsequent to their introduction and prior to their final submittal for approval. The Constitution and Bylaws Committee shall have the authority to make recommendations on all proposed amendments.

Section 20. SCHOLARSHIP COMMITTEE. The Scholarship Committee shall be composed of four members which may consist of members of the Department Executive Committee and will be initially appointed by the Department Commander to serve staggered terms from one to four years. This committee shall be responsible for establishing rules and regulations for the committee, subject to the approval of the Department Executive Committee, for the review of applicants; for the selection of recipients for all scholarships including but not limited to The American Legion annual scholarship and the Boschult scholarship; and will assist in the promotion of scholarships for The American Legion, Department of Nebraska. This committee will meet annually between March 1 and April 1 of each year for the purpose of reviewing all applications for scholarships and to determine the various scholarship recipients. The chairman of this committee will report to the Department Executive Committee at their meeting preceding the Department Convention.

Section 21. TEAM NEBRASKA FUND COMMITTEE. The Team Nebraska Fund Committee shall be composed of five members and will be initially appointed by the Department Commander to serve staggered terms from one to five years. Additionally, the Nebraska Auxiliary President, Nebraska Sons Commander, and Nebraska ALR Liaison, or the individuals appointed by those positions, will be consultants to this committee with voice only. This committee shall establish grant guidelines and to receive and review grant requests from bodies of the Nebraska Legion Family for use of the good of the Nebraska Legion Family, and to forward such recommendations for expenditures to the Department Executive Committee for its consideration and action. This committee will meet annually between March 1 and May 1 of each year for the purpose of reviewing grant requests and the Chair will make its recommendations for grants to the Department Executive Committee at their meeting preceding the Department Convention.

**The American Legion
Department of Nebraska**

RESOLUTION

Resolution No. 12-25

Subject: Honorary Department Commander

Submitted by: D7

Referred to:
(1) DEC

WHEREAS, David Salak first joined the Nebraska American Legion with Hartman Post 84 and the Seventh District; and

WHEREAS, David Salak has served the Department of Nebraska as its Department Adjutant since October of 2012; and

WHEREAS, David Salak has preformed his duties as Department Adjutant faithfully and with responsibility; and

WHEREAS, it has been the practice of the Department Executive Committee to proclaim a retiring Department Adjutant as an Honorary Department Commander; now, therefore, be it

RESOLVED, by The American Legion, Department of Nebraska, in regular convention assembled in Columbus, Nebraska, on June 26, 27, 28, 29, 2025, That the Department endorse and proclaim Department Adjutant David Salak as an Honorary Department Commander.