



**THE AMERICAN LEGION  
DEPARTMENT OF MINNESOTA**

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June 20, 2017

TO: Post Commanders  
District Commanders  
NECman & Alternate NECman  
Chairmen of all Department Committees

RE: Resolutions for Department Convention – Mahnomen, July 13-15, 2017

Enclosed are copies of the resolutions received to date, which are scheduled to be presented to the Department Convention for action.

Each resolution has been assigned a number or letter. When we have received resolutions failing to include a resolving clause directing it to Convention action by the Department, or eventually by the National Convention, where such action has been clearly indicated, we have added such clause.

In accordance with Convention Rules, the Department Resolutions Assignment Committee will screen all resolutions and will assign them to the authorized Convention Committees on Wednesday, July 12, 2017. Subsequent resolutions, if any are submitted, must be referred to the Department Adjutant.

Department Headquarters during the Convention will be located at Shooting Star Casino in Mahnomen and staff will be available to answer questions pertaining to procedures involving the Resolutions Assignment Committee.

Randall D Tesdahl  
Department Adjutant

cc: Resolutions Assignment Committee  
Department Judge Advocate  
Department Commander

RESOLUTION 1

The following Resolution originated from Hutchinson American Legion Post 96, Hutchinson, MN and was adopted by the Third District and is submitted for consideration by the 2017 Department Convention, to be held in Mahnomen, Minnesota, July 13-15, 2017.

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Amendment of Department Constitution - Quorum requirements

WHEREAS, the Constitution of the American Legion, Department of Minnesota, provides, in ARTICLE FIVE, Section 5, that the annual Convention of the Department shall be the legislative body of the Department, and

WHEREAS, this important legislative function is exercised by the delegates to the Convention who are elected by their respective Posts, and

WHEREAS, under the Department Constitution, a quorum shall exist when twenty percent of the Posts are wholly or partially represented by delegates or alternates; and

WHEREAS, current circumstances and schedules have caused reduced attendance on some days of recent conventions, and

WHEREAS, failure to meet quorum requirements would prevent the conduct of important legislative business of the Convention; and

WHEREAS, reduced quorum requirements would assure that the business of the Convention could proceed; now, therefore, be it.

RESOLVED, that the Constitution of the Department of Minnesota, ARTICLE FIVE, Legislative Organization, Section 5, which now reads:

"Sec. 5. A quorum shall exist at a Department Convention when twenty percent of the posts are wholly or partially represented by duly chosen delegates or alternates."

Shall be amended, effective immediately, to read:

"Sec. 5. A quorum shall exist at a Department Convention when ten percent of the posts are wholly or partially represented by duly chosen delegates or alternates." and be it finally

RESOLVED, that this Resolution be forwarded to the Department Convention to be held in Mahnomen, Minnesota, July 13-15, 2017, for concurring action.

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Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

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FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_

RESOLUTION 2

The following Resolution originated from William Allen Post 179, Plainview, MN and was adopted by the First District and is submitted for consideration by the 2017 Department Convention, to be held in Mahnomon, Minnesota, July 13-15, 2017.

Amendment of Department Constitution - Quorum requirements

WHEREAS, the constitution of The American Legion, Department of Minnesota, provides, in ARTICLE FIVE, Section 5, that the annual Convention of the Department shall be the legislative body of the Department, and

WHEREAS, this important legislative function is exercised by the delegates to the Convention who are elected by their respective Posts, and

WHEREAS, under the Department Constitution, a quorum shall exist when twenty percent of the Posts are wholly or partially represented by delegates or alternates, and

WHEREAS, current circumstances and schedules have caused reduced attendance on some days of recent conventions, and

WHEREAS, failure to meet quorum requirements would prevent the conduct of important legislative business of the Convention; and

WHEREAS, reduced quorum requirements would assure that the business of the Convention could proceed; now, therefore, be it

RESOLVED, that the Constitution of the Department of Minnesota, ARTICLE FIVE, Legislative Organization, Section 5, which now reads:

“Sec.5. A quorum shall exist at a Department Convention when Twenty percent of the posts are wholly or partially represented by duly chosen delegates or Alternates.”

Shall be amended, effective immediately, to read:

“Sec.5. A quorum shall exist at a Department Convention when ten percent of the posts are wholly or partially represented by duly chosen delegates or alternates.” And be it finally

RESOLVED, that this Resolution be forwarded to the Department Convention to be held in Mahnomon, Minnesota, July 13 – 15, 2017 for concurring action.

Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomon, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_

### RESOLUTION 3

The following Resolution originated from Irvin Blix American Legion Post 16, Bagley, MN and was adopted by the Ninth District and is submitted for consideration by the 2017 Department Convention, to be held in Mahanomen, Minnesota, July 13-15, 2017.

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#### YOUTH CADET LAW ENFORCEMENT COMMITTEE

WHEREAS, The American Legion, Department of Minnesota, during its Annual Convention, held in 2015, established the following Americanism Mandate:

“We establish a Junior Law Cadet Program using guidelines from the National Organization to be administered by the Americanism Committee and one member of the Americanism Standing Committee to be the program chair”, and

WHEREAS, the National Executive Committee, in session May 2014 passed Resolution 30, as follows:

“That the name of The American Legion Junior Law Cadet Program be changed to The American Legion Youth Cadet Law Enforcement Program.”, and

WHEREAS, the Report to the National Americanism Commission Spring Meeting, held on May 3, 2016, recommended the following:

“... that an American Legion Youth Cadet Law Enforcement Subcommittee be established. The goal of The American Legion Youth Cadet Law Enforcement Program Subcommittee shall be to promote, sponsor, coordinate, facilitate and foster activities to ensure the continued development, sustainability, growth and viability of The American Legion Youth Cadet Law Enforcement Program.

The objectives of The American Legion Youth Cadet Law Enforcement Program Subcommittee shall be to:

Formulate and recommend guidelines (administrative and safety), policies, strategic plans, and activities of The American Legion Youth Cadet Law Enforcement Program.

Review and be familiar with the resolutions pertaining to The American Legion Youth Cadet Law Enforcement Program.

Promote The American Legion Youth Cadet Program and its principles at all levels of The American Legion.

Engage in methodology encouraging those departments without an American Legion Youth Cadet Law Enforcement Program to establish the program.

Work towards an ultimate goal of establishing a national capstone program such as Boys Nation is to the Boys State program.

Such other purposes as may be assigned to it by the Americanism Commission.”

Now, therefore be it

RESOLVED, by The American Legion, Department of Minnesota, that the Americanism Mandate, established at the 2015 Annual Department of Minnesota American Legion Convention, shall be rescinded; and be it further

RESOLVED, that the Department Commander is hereby authorized to formally establish a Youth Cadet Law Enforcement Committee; and be it further

RESOLVED, that the Youth Cadet Law Enforcement Committee shall develop, coordinate, facilitate and foster strategies to promote the development, sustainability, growth and viability of the Youth Cadet Law Enforcement Committee program; and be it further

RESOLVED, that the Youth Cadet Law Enforcement Committee shall report to the Department Americanism Committee; and be it further

RESOLVED, that the Youth Cadet Law Enforcement Committee shall consist of Chairperson, with a strong background in law enforcement and/or experience with youth programs, that is nominated by the Department Commander, and appointed by the Department Executive Committee; and be it further

RESOLVED, that the purposes of this committee are:

To formulate and recommend guidelines (administrative and safety), policies, strategic plans and activities of The American Legion Youth Cadet Law Enforcement Program

To review and be familiar with the resolutions pertaining to The American Legion Youth Cadet Enforcement Program

To promote The American Legion Youth Cadet Enforcement Program and its principles at all levels of The American Legion

To promote uniform branding of The American Legion in prominence in the American Legion Youth Cadet Enforcement Program

Such other purposes as may be assigned to it by the Department Executive Committee and/or the Department Americanism Committee;

and be it further

RESOLVED, that the American Legion Youth Cadet Law Enforcement Committee shall be authorized to meet at the same time the Americanism Committee meets, and be it finally

RESOLVED, that this Resolution be forwarded to the Department Convention to be held in Mahanomen, Minnesota, July 13-15, 2017, for concurring action.

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Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahanomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

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FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_

(Committee Chairman)

(Committee Secretary)

DATE: \_\_\_\_\_

RESOLUTION 4

The following Resolution originated from Princeton Post 216, Princeton, MN and was adopted by the Tenth District and is submitted for consideration by the 2017 Department Convention, to be held in Mahnomen, Minnesota, July 13-15, 2017.

DISTRICT OFFICER TO ASSUME THEIR OFFICE

WHEREAS, The American Legion, Department of Minnesota is an organization of War Era Veterans who have dedicated themselves to the service of Community, State and Nation, and

WHEREAS, this service is performed through the American Legion's 4 Pillars, Americanism, Children and Youth, National Security and Veterans Affairs and Rehabilitation, and

WHEREAS, the administration of the Department is governed by the Constitution and By-Laws, and

WHEREAS, from time to time it is prudent and necessary to review and amend the Constitution to make changes to be relevant to current times, and

WHEREAS, current practices within Districts vary as when District Officers take office, and

WHEREAS, since there is no definitive time for newly elected Post Officers to assume their office, the individual Districts should be given the autonomy to decide when newly their elected officers assume office, now, therefore be it

RESOLVED, that the Constitution and By-Laws of the Department of Minnesota be amended so that Article Six, Section 2, sentence two which reads "District Officers shall be selected annually, who shall assume their office at the close of the next Department Convention", be amended to read "District Officers shall be selected annually, who shall assume their office no later than the close of the next Department Convention" and be if further

RESOLVED, that this change would not affect the makeup of the Executive Committee as promulgated in Article 6, Section 2 of the Department Constitution and By-Laws, and be it finally,

RESOLVED, that a copy of this resolution be forwarded to the Department Convention in Mahnomen, Minnesota, July 13 – 15, 2017 for concurring action, and be it finally,

RESOLVED, that these change to the Constitution and By-Laws become effective at the close of the Department Convention.

Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_

Resolution 5

The following resolution originated from the 10<sup>th</sup> District and is submitted for consideration by the 2017 Department Convention to be held in Mahanomen, MN July 13-15, 2017

Original Power of Attorney Notification

WHEREAS, Prior to 2012 VA was efficient in communicating with Power Of Attorney (POA) and Veterans Service Offices (VSO) while adjudicating veteran benefits. VA correspondence including, yet not limited to, notices to the claimant, rating decisions and appeals notices were in paper form and a copy was delivered in every case to the Power Of Attorney (POA) or Veterans Service Office (VSO) of original Regional Office jurisdiction, and

WHEREAS, In 2012 VA announced, "VA Transformation" and VA's intention to digitize all information including claims folders and information submitted on behalf of claims and appeals. Scanning of information post 2012 was mandatory for all cases being initiated or considered. Since, VA has established an information system in where work is digitized and issue to a National Work Que (NWQ), delivering work to Regional Offices not of original jurisdiction, and

WHEREAS, In M-21-1MR1, I.3.B.1.b Notices that must be provided to the Representative: Unless representation is limited by the claimant, power of attorney (POA) representatives are entitled to notice of any VA decisions affecting the payment of benefits or relief sought by the claimants whom they represent. Representative also must receive other forms of correspondence sent to claimants. These include, decision notices, statements of the case and supplemental statements of the case, notice of certification and transfer of appeals to the board of veteran appeals (BVA), intent to file a claim notice and requests for information and evidence needed to substantiate a claim(e.g. development letters), now be it

RESOLVED, By the Executive Committee of The American Legion Department of Minnesota that The American Legion hereby endorse efforts to establish provisions in law enforcing the mandatory issuance of all correspondence, both electronic or in paper form, to the original Power Of Attorney (POA) of submittal. That correspondence from VA to the claimant be copied to the original Regional Office of Jurisdiction and to the applicable Power Of Attorney (POA) authorized to represent the claimant, and be it further

RESOLVED, That a copy of this resolution be forwarded to the Department Convention in Mahanomen, Minnesota, July 13-15, 2017 for concurring action, and be it finally,

RESOLVED, That if passed by the Department Convention, a copy of this Resolution be forwarded to National Convention 2017 for proper action.

Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahanomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_

Resolution A

The following resolution originated from the Department of MN Rehabilitation Committee 2016-2017 and is submitted for consideration by the 2017 Department Convention to be held in Mahnomen, MN July 13-15, 2017

Original Power of Attorney Notification

WHEREAS, Prior to 2012 VA was efficient in communicating with Power Of Attorney (POA) and Veterans Service Offices (VSO) while adjudicating veteran benefits. VA correspondence including, yet not limited to, notices to the claimant, rating decisions and appeals notices were in paper form and a copy was delivered in every case to the Power Of Attorney (POA) or Veterans Service Office (VSO) of original Regional Office jurisdiction, and

WHEREAS, In 2012 VA announced, "VA Transformation" and VA's intention to digitize all information including claims folders and information submitted on behalf of claims and appeals. Scanning of information post 2012 was mandatory for all cases being initiated or considered. Since, VA has established an information system in where work is digitized and issue to a National Work Que (NWQ), delivering work to Regional Offices not of original jurisdiction, and

WHEREAS, In M-21-1MR1, I.3.B.1.b Notices that must be provided to the Representative: Unless representation is limited by the claimant, power of attorney (POA) representatives are entitled to notice of any VA decisions affecting the payment of benefits or relief sought by the claimants whom they represent. Representative also must receive other forms of correspondence sent to claimants. These include, decision notices, statements of the case and supplemental statements of the case, notice of certification and transfer of appeals to the board of veteran appeals (BVA), intent to file a claim notice and requests for information and evidence needed to substantiate a claim(e.g. development letters), now be it

RESOLVED, By the Executive Committee of The American Legion Department of Minnesota that The American Legion hereby endorse efforts to establish provisions in law enforcing the mandatory issuance of all correspondence, both electronic or in paper form, to the original Power Of Attorney (POA) of submittal. That correspondence from VA to the claimant be copied to the original Regional Office of Jurisdiction and to the applicable Power Of Attorney (POA) authorized to represent the claimant, and be it further

RESOLVED, That a copy of this resolution be forwarded to the Department Convention in Mahnomen, Minnesota, July 13-15, 2017 for concurring action, and be it finally,

RESOLVED, That if passed by the Department Convention, a copy of this Resolution be forwarded to National Convention 2017 for proper action.

Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_



## Resolution B

The following resolution originated from the Department of MN Rehabilitation Committee 2016-2017 and is submitted for consideration by the 2017 Department Convention to be held in Mahanomen, MN July 13-15, 2017

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### Ratings and Power of Attorney or VSO Notification

WHEREAS, Prior to 2012 VA was efficient in communicating with Power Of Attorney and Veterans Service Offices while adjudicating veteran benefits. VA correspondence including, yet not limited to, rating decisions in paper form in where a copy was delivered in every case to the Power Of Attorney or Veterans Service Office of original Regional Office jurisdiction, and

WHEREAS, In 2012 VA announced, “VA Transformation” and VA’s intention to digitize all information including rating decisions. Scanning of information post 2012 was mandatory for all cases being initiated or considered. Since, VA has established an information system in where work is digitized and issued to a National Work Que (NWQ), delivering work to Regional Offices not of original jurisdiction. Rating decisions are issued to the National Work Que for a period of forty eight hours for Power Of Attorney review, and

WHEREAS, In M-21-1MR1, I.3.B.1.d. Providing notice to Power Of Attorneys: VA must use Veterans Benefit Management System (VBMS) to provide adequate notice that correspondence is available for review, and

WHEREAS, In M-21-1MR1, I.3.B.3.b. Establishing time limits for Veterans Service Officer review: Veteran Service Center Managers (VCSMs) will provide Veterans Service Officers 48 hours, from the time the VA activates the Veterans Service Officer Review Status work que, to review a rating decision prior to promulgation. If the Veterans Service Officer does not review and approve the decision within 48 hours the decision is automatically expired and the decision is promulgated by VA, and

WHEREAS, In M-21-1 MR1 I.3.B.3.c. Veterans Service Officer Review at Redistributed-Work Sites, if no authorized Veterans Service Officer is available at the redistributed- work site, the completed rating decision is promulgated without Veterans Service Officer review and the case is then returned to the station of origination (SOO), now therefore be it

RESOLVED, By the Executive Committee of The American Legion Department of Minnesota that The American Legion hereby endorse efforts to establish provisions in law allowing for rating decision review to be defined as 48 “Buisness Hours” before any rating may be automatically expired and then subsequently adjudicated by VA without review of the Power Of Attorney or Veteran Service Officer of original jurisdiction. In that: in M-21-1 MR1 I.3.B.3.c. Veterans Service Officer Review at Redistributed-Work Sites, if no authorized Veterans Service Officer is available at the redistributed- work site, the completed rating decision is promulgated without Veterans Service Officer review and the case is then returned to the station of origination (SOO). Be reevaluated and rewritten to state the information must be returned to the work que or mail box of the Power Of Attorney or Veteran Service Officer of original submittal or Jurisdiction, and be it further

RESOLVED, That a copy of this resolution be forwarded to the Department Convention in Mahnomen, Minnesota, July 13-15, 2017 for concurring action, and be it finally,

RESOLVED, That if passed by the Department Convention, a copy of this Resolution be forwarded to National Convention 2017 for proper action.

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Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomen, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

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FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_

RESOLUTION C

The following Department Executive Committee Resolution is based on information presented to the Department Executive Committee by the Strategic Planning Committee and is submitted for consideration by the 2017 Department Convention, to be held in Mahnomens, Minnesota, July 13-15, 2017.

Training Committee

Whereas, The leadership of The American Legion Department of Minnesota and all of its 10 Districts and all of its County Councils and all of its Posts can change on an annual basis, and

Whereas, Technology and means of communication are changing at a more rapid pace than ever in our history, and

Whereas, Informed Leadership is essential to the existence of The American Legion, now, therefore be it

Resolved, By The American Legion Department of Minnesota Executive Committee, in regular meeting, held at Legionville, Brainerd, MN, on March 4, 2017 that an Education and Training Committee be established to educate and train the Leadership of the Department, County Councils, Districts and Posts of the American Legion, and be it further

Resolved, That the said Committee be made up of Three Legion Members, in good standing, of the Department of Minnesota to be appointed by the Current Department Commander for 1 three year term, 1 two year term and 1 one year term with future appointments to be made by the Department Commander upon their Election, and be it finally

RESOLVED, that this Resolution be forwarded to the Department Convention to be held in Mahnomens, Minnesota, July 13-15, 2017, for concurring action.

Referred by Resolutions Assignment Committee to the \_\_\_\_\_  
Convention Committee at Mahnomens, Minnesota, July 13-15, 2017.

SIGNED: \_\_\_\_\_, Chairman

FOR CONVENTION COMMITTEE USE

Approved \_\_\_\_\_ Rejected \_\_\_\_\_ Approved with Amendments \_\_\_\_\_

Signature \_\_\_\_\_  
(Committee Chairman) (Committee Secretary)

DATE: \_\_\_\_\_