

This Resolution was properly presented to the Department Resolutions Committee prior to the 2021 Department of California Convention held virtually in Sanger, CA on 26-27. This is the result of the Resolution:

Resolution Number: 2021-002 (Revised)

**Title of Resolution:** Reassignment of the American Legion Riders Officer Titles

**Subject Matter:** The NEC in October passed a resolution (NEC Resolution 19, October 2020) which in part required that the Titles of the offices of President / Vice-President be changed to either Director / Vice-Director or Chairman / Assistant Chairman. This resolution sought to have the NEC reconsider the title change directive.

**Convention Standing Committee Assignment:** American Legion Riders (ALR)

**Committee Recommendations:** The American Legion Riders Committee recommended that the Resolution be adopted and forwarded to National.

Action on the Floor: The Resolution was presented on the floor by a member of the ALR Committee. A point of order was raised concerning the Bylaws and the Resolution which was enforced by the Department Commander. The author was given one hour to rewrite a revision to the resolution which was done. Subsequently the revision was passed on the Floor of the convention. The Resolution was transferred to the proper National Resolution Form and forwarded to National for consideration.

### THE AMERICAN LEGION RIDERS

#### **DEPARTMENT OF CALIFORNIA**

1601 7th St, Sanger, California 93657		
THIS FORM MUST BE FILLED OUT IN TRIPLICATE		
Resolution No2021-002 Re-designation of Subject: _ American Legion Riders Program Leadership Titles		
(DO NOT FILL IN ABOVE THIS LINE)		
RESOLUTION		
WHEREAS, The American Legion National Executive Committee passed Resolution 19 dated 14 October 2020 directing all American Legion Rider (ALR) Program President, Vice-President, and Past President titles cease in use of said titles, and be re-titled as Chairman, Vice Chairman, Director, or Assistant Director in an effort the ALR Program not be viewed by the general public as a Motorcycle, or Biker Club; and		
WHEREAS, Resolution 19's final preamble statement provides no statements of fact as required (Rule 10 Section A of The Rules of the National Executive Committee of The American Legion) to justify the changing of ALR program titles, but states conjectures in the decision to change titles; and		
WHEREAS, The Charter of the American Legion National Constitution and By-laws states under United States Code Title 36, Chapter 217, Section 21704 Powers, subsection (5), "The corporation may- provide guidance and leadership to organizations and local chapters established under paragraph (4), but may not control or otherwise influence the specific activities and conduct of such organizations and local chapters"; and		
WHEREAS, The Charter of the American Legion National Constitution and By-laws states under United States Code Title 36, Chapter 217, Section 21705 Exclusive right to name, emblems, and badges, "The corporation and its State and local subdivisions have the right to use the name 'The American Legion' or 'American Legion'. The corporation has the right to use, manufacture, emblems and badges the corporation adapts"; and		
WHEREAS, The Charter of the American Legion National Constitution and By-laws states under Constitution of The American Legion Article VIII Sec. 4, "The Department Executive Committee shall define the powers of such intermediary groups, but in no event shall such powers invade the prerogatives now vested in either the Post or Department or National Organization"; and		
WHEREAS, Resolutions passed by executive committees for a corporation are legal binding actions for the corporation; and any changes to California based State, Post or Chapter By-laws require a 2/3rds membership approval as stated in current National, State, Post, and Chapter By-Laws; and		

Below space is for use when resolution originates with a Dept Committee/Commission or Convention Committee. This is to certify that the above resolution was Adopted Department/Area/Chapter Secretary Chairman 595 Chapter Number Dept Committee/Commission or Convention Committee Department/Area/Chapter/ (V) President Date Area No. Date

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#### **DEPARTMENT OF CALIFORNIA**

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Resolution No2021-002_		
Re-designation of Subject: _ American Legion Riders Program Lea	adership Titles	
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RESOLUT	ION	
WHEREAS, The American Legion Department of California separate corporations; and	, and California based American Legion Posts are	
WHEREAS, Resolution 19 is an authority from the National State, territorial, chapters, or Posts, Resolution 19 does not prechanging ALR leadership titles; and		
WHEREAS, The American Legion Riders Department of California and The American Legion Department of California have no formal grievance, or charges against any California ALR Chapter, or member in regards to guidelines outlined in American Legion National Resolution 19; and		
WHEREAS, American Legion Rider Chapter Presidents in California local communities and government officials for addition as a highly respected leader defined by the title of an and supported by Post Members; now, therefore, be it	epitomizing honor, courage, and commitment, in	
<b>RESOLVED,</b> By the members of American Legion Post 595 on November 14 <sup>th</sup> , 2020, that the titles of President, and Vice Post By-Laws, and Resolution 19 should be viewed as an adv	President do not conflict with National, State, or	
<b>RESOLVED,</b> That the American Legion Riders Department V Organization-Chapters, Article VII Areas, and Article XII the officer designations as written, and all said titles reference Department of California By-Laws, and ALR Chapter By-Lamentioned, and be it finally	Past President's Club should not change titles of ed in other articles of the American Legion Riders	
<b>RESOLVED,</b> That the American Legion Department of Cali American Legion Executive Committee Resolution No. 19 da Commitee and further study be done in the redesignation of the	ated October14-15, 2020, by the National Executive	
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Chairman	Department/Area/Chapter Secretary	
Chairman	595	
Dept Committee/Commission or Convention Committee	Chapter Number	

Date

Department/Area/Chapter/ (V) President

Date

Area No.

## THE AMERICAN LEGION RIDERS

# DEPARTMENT OF CALIFORNIA

1601 7th St, Sanger, California 93657		
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Resolution No2021-002		
Re-designation of Subject: _ American Legion Riders Program I		
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RESOLU referenced.	ITION	
RESOLVED, That this Resolution shall be transmitted California for consideration and adoption at the Annual California, to be held June 25 - 27, 2021 in Sanger CA, a Headquarters of The American Legion for consideration by	Convention of the American Legion Department of nd thereafter upon passage submitted to the National	
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Chairman	Department/Area/Chapter Secretary 595	
Dept Committee/Commission or Convention Committee	Chapter Number	

Date

Department/Area/Chapter/ (V) President

Date

Area No.