

**American Legion Auxiliary  
Department of Nebraska**

**Advisory Committee Meeting – Pre - Department Convention  
Department Headquarters, Lincoln, Nebraska  
June 20, 2009**

The Advisory Committee of the American Legion Auxiliary, Department of Nebraska, met on Saturday, June 20, 2009, at the Department Headquarters, Lincoln, Nebraska.

The meeting was called to order at 9:00 a.m. by Chairman Roxanne Hiatt. The Invocation was given by committee member, Gayla Schmid. The Pledge of Allegiance was led by committee member Gertrude Johansen. A welcome was given by Chairman Roxanne Hiatt.

Present were: Chairman, Roxanne Hiatt                      Department President, Marva Kasl  
                  Member, Gertrude Johansen                 Department Vice President, Carol Ulrich  
                  Member, Gayla Schmid                         Department Secretary, Jacki O'Neill

**RESOLUTIONS PRESENTED TO ADVISORY COMMITTEE**

Constitution Amendment No. 1- National Delegates

**WHEREAS**, no delegate from a District may be available to attend the National Convention; and

**WHEREAS**, the Department of Nebraska frequently has insufficient membership to permit delegates-at-large; therefore be it

**RESOLVED**, that the Veterans Affairs and Rehabilitation Chairman and the Children and Youth Chairman, respectively, be designated as a District delegate if no delegate from a District is appointed; and be it further

**RESOLVED**, that Article VIII National Representation, Section 5 be amended as follows:  
When neither the District President nor the District Vice President are able to attend the National Convention, a delegate from said District should be appointed by the District President with the approval of the Delegation Chairman. If no delegate from a District is available to attend the National Convention, the Delegation Chairman shall designate the Veterans Affairs and Rehabilitation Chairman and the Children and Youth Chairman, respectively to serve as the District delegate. ~~The name of the appointee shall not be placed on the ballot for election as delegate at large to National Convention.~~

The Delegate attending the National Convention is to submit all required reports to the Department and District after which the appointed Delegate shall receive the allowed delegate's reimbursement.

**Action: Gayla Schmid moved to accept this Constitution change. Motion seconded and carried. Amendment forwarded to Constitution and Bylaws Committee.**

**Unit Constitution and Bylaws – Suggested Format**

Unit Constitution and Bylaws Amendment No. 1 – Suggested format – Unit Constitution and Bylaws

**WHEREAS**, the Unit Constitution and Bylaws is a uniform document throughout this Department; and

**WHEREAS**, the National Organization has revised the Unit Handbook in January 2009; and

**WHEREAS**, that revision included the Unit Constitution; therefore be it

**RESOLVED**, that the Uniform Unit Constitution of the Department of Nebraska be revised to the suggested format of the newly revised American Legion Auxiliary Unit Handbook, Revised January 2009 with changes shown below with wording struck out when deleted and in parenthesis when added.

**Action:** Gayla Schmid moved to amend the wording of this resolution by striking out the word Uniform from the first **WHEREAS** and the **RESOLVED** paragraph and replacing it with the word Suggested. Gertrude Johansen seconded and all voted yes. The amended Unit Constitution and Bylaws – Suggested Format resolution to read as follows:

**WHEREAS**, the Unit Constitution and Bylaws is a suggested document throughout this Department; and

**WHEREAS**, the National Organization has revised the Unit Handbook in January 2009; and

**WHEREAS**, that revision included the Unit Constitution; be it further

**RESOLVED**, that the suggested Unit Constitution of the Department of Nebraska be revised to the suggested format of the newly revised American Legion Auxiliary Unit Handbook, Revised January 2009 with changes shown below with wording struck out when deleted and in parenthesis when added.

**Action:** Gayla Schmid made a motion to accept the amended Unit Constitution and Bylaws – Suggested Format resolution and send it on to the Constitution and Bylaws Committee for consideration as amended. The motion was seconded and carried.

#### Resolution No. Finance 1 – Permanent Membership

**WHEREAS**, the Permanent Membership fund does not generate sufficient interest income to cover current annual dues payments to the National Office of the American Legion Auxiliary of \$5.00 per senior member and payments to the Department of Nebraska general fund of \$6.25 per senior member; and

**WHEREAS**, dues payments to the Department of Nebraska of \$6.25 per senior member were suspended for the 2008-09 year; and

**WHEREAS**, the Permanent Membership fund has not recovered sufficiently to resume dues payments to the Department of Nebraska general fund; therefore be it

**RESOLVED**, that Bylaws ARTICLE VI, Finance, Section 4 be added to state:

Dues payments from the Permanent Membership fund to the Department of Nebraska general fund are suspended indefinitely.

**Action:** Gayla Schmid moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance and Constitution and Bylaws.

#### Resolution No. Finance 2 – Dues Increase

**WHEREAS**, currently \$6.05 of senior dues and \$1.05 of junior dues are allocated to Department of Nebraska general fund operations; and

**WHEREAS**, dues were last increased by \$2 at the June 2000 Department of Nebraska Convention, effective with the 2002 membership year; and

**WHEREAS**, annual membership dues are the primary source of revenue for annual general fund operating expenditures; and

**WHEREAS**, annual membership dues are insufficient to fund the annual general fund operating expenses of the American Legion Auxiliary, Department of Nebraska; therefore be it

**RESOLVED**, that senior dues for the purpose of Department of Nebraska annual general fund operations be increased by \$2 to \$8.05, effective with the 2011 membership year, and be it further

**RESOLVED**, that junior dues for the purpose of Department of Nebraska annual general fund operations remain at \$1.05, until further amended and be it further

**RESOLVED**, that Bylaws Article VI Finance, Section 2 shall be amended as follows:

The annual dues of the Unit to the National organization shall be as provided by the National Convention. The annual dues of the Unit to the Department shall be eight dollars and twenty-five cents (\$8.25) per Senior member and one dollar and twenty-five cents (\$1.25) per Junior member effective with payment of 2011 dues. Twenty cent (\$.20) of each member's dues shall be set aside for the National Convention Delegates' fund; the balance to be used for the General Fund, which shall include a subscription for each Senior member to the American Legion Auxiliary – The Star. If it becomes necessary, a portion of the balance in the National Convention Delegates' Fund may be transferred to supplement the Department Convention Fund upon the recommendation of the Finance Committee and the approval of the Executive Committee.

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**Action: Gayla Schmid moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance.**

**Finance resolutions No. 3 and No. 4 were withdrawn by the presenter**

#### **Resolution No. Finance 5 –Travel Policy**

**WHEREAS**, the Standing Rules provide mileage reimbursement at the rate of \$.35 per mile for specified officers and chairman for stipulated conferences, conventions, and/or meetings; and

**WHEREAS**, the Standing Rules provide commercial air fare for specified officers for stipulated conferences, conventions, and/or meetings; and

**WHEREAS**, the most cost and time effective mode of transportation is encouraged; and

**WHEREAS**, adoption of a travel policy will provide clarification of reimbursable travel related expenses; therefore be it

**RESOLVED**, that the Department of Nebraska adopt the attached Travel Policy.

#### **American Legion Auxiliary Department of Nebraska Travel Policy**

##### **Members:**

Members of the American Legion Auxiliary, Department of Nebraska, are encouraged to use the most cost and time effective way to participate in meetings and conferences and should explore options to participate remotely via teleconference. When appropriate to attend in person, members should carpool whenever possible to reduce costs and the environmental impact.

##### **Authorized Officers:**

On out-of-state trips when commercial air services can be used advantageously, mileage will be reimbursed at

the price of a coach airline ticket or the actual mileage at \$.35 per mile, whichever is less. (Carpooling of authorized officers will be considered in the determination of least cost mode of transportation). Documentation of the most cost effective airfare must be provided with the reimbursement claim.

Lodging expenses eligible for reimbursement will be arranged by the Department Secretary or approved in advance by the Department Secretary. The most cost and time effective, suitable lodging should be secured. Applicable discounts should be requested.

**Action: There was discussion on where to place this Travel Policy if approved. Gertrude Johansen moved to accept the resolution as written to be inserted in the Standing Rules *after* Rules and Guidelines for Department Endorsement of Candidate for National Office and *before* Conference and Conventions, currently page 145 of the 2008-09 ABC book. Motion seconded and carried. Forwarded to Finance.**

**Resolution No. Finance 6 – Business Travel Accident Insurance**

**WHEREAS**, the National Headquarters has notified Departments that the travel accident insurance policy through which Departments secured coverage for the Department President, Department Secretary, and National Executive Committeewoman when they travel in the fulfillment of their responsibilities as officers of the American Legion Auxiliary will not be renewed when the policy expires on November 15, 2009; and

**WHEREAS**, the Department of Nebraska is in the process of securing replacement coverage; therefore be it

**RESOLVED**, that Standing Rules Section A, 3. shall be amended as follows:

The Department shall secure Business Travel Accident Insurance for the Department President, Department Secretary, and National Executive Committeewoman. ~~This insurance is available through National Headquarters. (6-22-95)~~

**Action: The committee would like to see a little more effort go into acquiring coverage or finding out for sure we are covered under our current Directors and Officers insurance before removing this from the Standing Rules. Gayla Schmid moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance.**

**Resolution No. Finance 6A – Business Travel Accident Insurance**

**WHEREAS**, the National Headquarters has notified Departments that the travel accident insurance policy through which Departments secured coverage for the Department President, Department Secretary, and National Executive Committeewoman when they travel in the fulfillment of their responsibilities as officers of the American Legion Auxiliary will not be renewed when the policy expires on November 15, 2009; and

**WHEREAS**, the Department of Nebraska is in the process of securing replacement coverage; therefore be it

**RESOLVED**, that Standing Rules Section A, 3. shall be amended as follows:

~~The Department shall secure Business Travel Accident Insurance for the Department President, Department Secretary, and National Executive Committeewoman.~~

**Action: Gertrude Johansen moved to reject this resolution. Motion seconded and carried.**

**Resolution No. Finance 7– Veterans Affairs & Rehabilitation Administrative Assessment**

**WHEREAS**, the Veterans Affairs and Rehabilitation (VA&R) Fund contributes \$300 per month to salaries in the Department office; and

**WHEREAS**, the VA&R fund transfers \$500 annually to the General Fund for postage, paper and ink; and

**WHEREAS**, these administrative assessments have not changed since January, 2002; and

**WHEREAS**, based on the dollar volume of transactions for VA&R relative to Girls State, Children and Youth and General operations is approximately 15% of the total; and

**WHEREAS**, the 2008-09 budget for salaries, wages and benefits was \$58,185; and

**WHEREAS**, fifteen percent of salaries, wages and benefits equals approximately \$8,700; therefore be it

**RESOLVED**, that Standing Rules Section Z, Veterans Affairs and Rehabilitation, 6. shall be amended as follows:

The Veterans Affairs and Rehabilitation Fund shall contribute \$725 per month to salaries in the Department office.

\$500 annually shall be credited from the Veterans Affairs and Rehabilitation Fund to the General Fund for postage, paper and ink.

**Action: After much discussion the committee agreed that this is a fair amount to assess.**

**Gertrude Johansen moved to accept the resolution as written. Motion seconded and carried. Forwarded to Finance.**

<b>Resolution No. Finance 8 – Girls State Administrative Assessment</b>
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**WHEREAS**, the Veterans Affairs and Rehabilitation Fund contributes \$300 per month to salaries in the Department office; and

**WHEREAS**, the Children and Youth Fund contributes \$250 per month to salaries in the Department office; and

**WHEREAS**, Department office personnel provide administrative services to Girls State; and

**WHEREAS**, Girls State is operated as a program sponsored by the American Legion Auxiliary, Department of Nebraska and although Girls State is a separate corporation with its own officers, and is self-supporting, the sponsors who generally pay the registration fees for Girls State participants are local American Legion Auxiliary units; and

**WHEREAS**, Girls State currently for their accounting and audit fees, duplicator expenses, postage and paper supplies; and

**WHEREAS**, based on the dollar volume of transactions for Girls State relative to VA&R, Children and Youth and General operations is approximately 30% of the total; and

**WHEREAS**, certain transactions may not require usual administrative services of Department office personnel; and

**WHEREAS**, Girls State has their own paid part-time personnel; and

**WHEREAS**, the 2008-09 budget for salaries, wages and benefits was \$58,185; and

**WHEREAS**, an administrative fee equal to five percent of salaries, wages and benefits equaling approximately \$3,000 seems reasonable; therefore be it

**RESOLVED**, that the Girls State Corporation pay the American Legion Auxiliary, Department of Nebraska general fund, \$3,000 annually beginning with the 2010 calendar year, the amount to be paid prior to July 31 of each year.

**Action: Gertrude Johansen moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance.**

**Resolution No. Finance 9 – Poppies**

**WHEREAS**, the National Headquarters has notified Departments that the price of poppy kits has increased; and

**WHEREAS**, notices are frequently received after poppy prices have been communicated to Units; and

**WHEREAS**, the payments to poppy makers of 4.5 cents per small poppy and 7 cents per large poppy have not increased since 2002; and

**WHEREAS**, the Department of Nebraska must pass on cost increases to keep the Poppy Sales and Distribution fund solvent; therefore be it

**RESOLVED**, that payments to poppy makers be increase d from 4.5 cents to 5 cents per small poppy and from 7 cents to 8 cents per large poppy; and be it further

**RESOLVED**, that the prices for small poppies be increased from \$10 per 100 to \$12 per 100; and be it further

**RESOLVED**, that prices for large poppies remain at \$10 per dozen; and be it further

**RESOLVED**, that Standing Rules Section Z, Veterans Affairs and Rehabilitation 4. shall be amended as follows: Paragraph 2:

Poppy makers are to be paid 5 cents per small poppy and 8 cents per large poppy.

Paragraph 3:

Price of finished small poppies will be \$12 per 100, and \$120 per 1,000, plus the applicable city and state sales tax plus postage with Nebraska; \$130 per 1000 plus shipping charges or postage outside Nebraska. Price of large poppies will be \$10 per dozen plus the applicable city and state sales tax plus postage.

**Action: Gertrude Johansen moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance.**

**Resolution No. Finance 10 – Veterans Affairs and Rehabilitation**

**WHEREAS**, the language in Standing Rules Section Z Veterans Affairs and Rehabilitation 1 is confusing; and

**WHEREAS**, poppy proceeds are distributed between the Veterans Affairs and Rehabilitation fund (2/3) and the Children and Youth fund (1/3); therefore be it

**RESOLVED**, that Standing Rules Section Z, Veterans Affairs and Rehabilitation 1 shall be amended as follows:

Veterans Affairs and Rehabilitation and Hospital Funds shall be combined and known as the Veterans Affairs and Rehabilitation Fund. Poppy proceeds shall be divided between two funds with two-thirds (2/3) to the Veterans Affairs and Rehabilitation Fund and one-third (1/3) to the Children and Youth Fund. National Per Capita Rehabilitation Assessment paid to National's Special Veterans Affairs and Rehabilitation Fund shall be deducted from the Department Veterans Affairs and Rehabilitation Fund derived from Poppy proceeds. If Poppy proceeds do not meet the National Assessment, the balance due shall be taken from the Veterans Affairs

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and Rehabilitation and Children and Youth Funds proportionate to the initial distribution (2/3 and 1/3 respectively).

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Department Medical Center and Home expenditures shall be confined to the profits from the sale of poppies to Units, plus Veterans Affairs and Rehabilitation contributions.

**Action: Gayla Schmid moved to accept this resolution as written. Motion seconded and carried. Forwarded to Finance.**

There was discussion on the **Constitution and Bylaws of American Legion Auxiliary Girls State, Inc., Department of Nebraska** that has been presented by the Girls State Committee with the changes requested from the Department Executive Committee at their June 26, 2008 meeting in Kearney. The DEC made an amendment to Recommendation 16 that the appointed leaders of Girls State become known as Chairman instead of President and that this change be reflected throughout the Girls State Constitution. The second change requested was a new sentence be added to Article 4 Paragraph 2 after the first sentence to read “The President, First Vice President and Second Vice President shall be active Unit members invested in the American Legion Auxiliary.”

It is to be noted that the Constitution that came back from the Girls State Committee for consideration and approval by the DEC *does* contain the requested change of the word President to Chairman when referring to the Girls State leaders.

However, it does *not* contain the wording requested by the DEC for the second change. At their meeting in October the Girls State Committee changed the wording from your amendment of “shall be active Unit members invested in the American Legion Auxiliary.” to “shall be members in good standing with the American Legion Auxiliary.”

**Action: No action was taken by the committee as it is to be presented to the DEC for their approval or rejection of the changes requested by them.**

With no further business to come before the Advisory Committee, Chairman Roxanne Hiatt recessed the meeting at 11:30 a.m.

Roxanne Hiatt  
Department Advisory Chairman

Jacki O’Neill  
Department Secretary-Treasurer