

THE AMERICAN LEGION
DEPARTMENT OF FLORIDA
DEPARTMENT EXECUTIVE COMMITTEE

APRIL 23, 2020

RESOLUTION 20-01

WHEREAS Article V, Section 7 of the Constitution of The American Legion Department of Florida states “that voting for all elected Department Officers shall be done on the last day of the Department Convention, and

WHEREAS, The American Legion Department of Florida Constitution Article VII Section 6 states “In cases of emergency, as provided elsewhere in this Constitution, the Department Executive Committee may provide a method and a procedure for a special convention in lieu of the regular Annual Convention to elect Officers, to make proposals for legislative enactment, to adopt and promulgate essential programs, and to enunciate and proclaim matters of policy.”, and

WHEREAS, The United States of America and the world in general are currently experiencing a pandemic associated with the spread of Coronavirus (COVID–19) therefore causing communities, cities, states and the federal government to enact unprecedented emergency actions in order to contain and combat the impact and risks of spreading the COVID–19; and

WHEREAS, Upon the recommendations of the United States President, the Centers for Disease Control (CDC) and World Health Organization (WHO), the emergency actions taken include, but are not limited to, restriction of mass gathering sizes, restrictions on unnecessary travel, closure of restaurants and other public gathering spaces, implementation of “social distancing” guidelines and an overall emphasis on personal hygiene and virus/germ abatement actions; and

WHEREAS, Numerous departments of The American Legion are contemplating the cancellation or postponement of their own Department Conventions the primary purpose of which is to conduct the legislative business of the Department and elect officers and elect/appoint delegates to the national convention; and

WHEREAS, The American Legion National Executive Committee by Resolution #3 has cancelled the 2020 National Convention, and

WHEREAS, The governor of the State of Florida, Ron DeSantis, declared in Executive Order # 20-52 Emergency Management COVID 19 Public Health Emergency Order dated March 9, 2020 that the State of Florida is in a public health emergency as a result of the COVID–19 requiring numerous actions to follow, including that all people

maintain safe social distancing, stay at home whenever possible and all bars and restaurants in the State of Florida be closed; and

WHEREAS, A gathering of the members of The American Legion Department of Florida would be in conflict with the presently imposed restrictions set by local, state and federal authorities and therefore place our members at an unnecessary health, safety and medical risk, and

WHEREAS, The American Legion Department of Florida Executive Committee by electronic mail vote, due to the uncertainty of the duration of the pandemic known as Coronavirus (COVID-19), the numerous government regulations being enforced to contain it and concern for the safety of all members of the American Legion Family, The American Legion Department of Florida Executive Committee (DEC) has voted and approved in several separate votes that present circumstances constitute sufficient reasons to cancel the 2020 American Legion Department Convention and that the Department Adjutant be authorized to apply for a Payroll Protection Program loan. The Department Executive Committee also voted and approved the continuation of Department Officers and District Officers until the next Department Convention being held July 1, 2021 thru July 4, 2021, now, therefore be it

RESOLVED, That due to these serious and sufficient reasons, the following The American Legion Department of Florida events in Orlando, Florida are cancelled: (1) the Pre-Convention Department Executive Committee meeting scheduled for June 25, 2020; (2) The American Legion Department of Florida 2020 Department Convention scheduled for June 25 – June 27, 2020; (3) the Post-Convention Department Executive Committee meeting scheduled for June 28, 2020; and, be it further

RESOLVED, That all American Legion Department of Florida elected and appointed Officers continue serving in their current positions until they resign or are either reassigned or reappointed until the close of the next Department Convention scheduled at the Marriott World Center, Orlando, Florida from July 1, 2021 through July 4, 2021; and, be it further

RESOLVED, That all American Legion Department of Florida Committee Chairpersons and the current committee members continue serving in their current positions until they resign or are either reassigned or reappointed at the 2021 Department Executive Committee meeting scheduled at Marriott World Center, Orlando, Florida, July 4, 2021; and, be it further

RESOLVED, That The American Legion Department of Florida National Executive Committee Member (NEC) and Alternate National Executive Committee Member (NECA) continue serving in their current positions until they resign or are reelected at the next Department Convention scheduled at the Marriott World Center, Orlando, Florida, from July 1, 2021 through July 4, 2021; and take office at the post-Convention meeting of the NEC at the National Convention in Phoenix, Arizona, on September 2, 2021; and, be it further

RESOLVED, That the Department Commander be authorized to shift the Zone assignments for the 3 Zones to utilize their travel costs and time more efficiently and that this will only remain in effect until the next American Legion Department of Florida Convention scheduled at the Marriott World Center, Orlando, Florida from July 1, 2021 through July 4, 2021; and, be it further

RESOLVED, That any resolutions and/or amendments needing to come before the American Legion Department of Florida Executive Committee, may be brought forth to the Department Executive Committee including the right to make proposals for legislative enactment, to adopt and promulgate essential programs, and to enunciate and proclaim matters of policy as stated in the Department Constitution Article VII Section 6 and be subsequently considered and voted on by video meetings, electronic mail or any other allowed means prior to The Department's next Legislative Meeting at our 2021 Department Executive Committee meeting scheduled at Marriott World Center, Orlando, Florida, July 4, 2021; and, be it further

RESOLVED, That American Legion Department of Florida, Sons of The American Legion Detachment will follow a similar course of action, to-wit: maintain the status quo of their Detachment Officers and Chairmen until next year; and, be it further

RESOLVED, That a copy of this resolution be forwarded to The Florida American Legion Auxiliary leadership for their action, and, be it finally

RESOLVED, That this resolution be forwarded to the current members of The American Legion Department of Florida, Department Executive Committee by electronic means, for a scheduled teleconference where a motion can be made and seconded, deliberation can take place and vote taken, all by a teleconference.

*APPROVED in a Zoom Teleconference meeting of
The American Legion, Department of Florida
Department Executive Committee
April 23, 2020*