Resolution #2018-02

**Subject**: Various spelling and grammar corrections in the By-Laws.

**Source**: National Constitution and By-Laws Committee

**WHEREAS,** there are various instances of inaccurate spelling, poor grammar and minor inconsistencies in the By-Laws; and

**WHEREAS,** this has created minor confusion; and

**WHEREAS,** one resolution can correct all of these at once; therefore be it

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 1(a) shall be corrected to “A Department National Executive Committeeman may only be approved when that position is mandated in that Department’s Standing Rules. A letter or up-to-date Change of Officers Form must be on file at the Sons of AMVETS National Headquarters to verify that member’s appointment.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 2 shall be corrected to “On the National, State and District level, at an E-Board, Executive Committee, regular or special Meeting, a majority of those members present shall constitute a quorum, provided at least four (4) of those members present are elected officers. On the Squadron level a majority of members present shall constitute a quorum, provided at least three (3) of those members are elected officers.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 4 shall be corrected to “The National Executive Committee shall approve the appointment and employment of proper Officers for the administration of the affairs of the Sons of AMVETS and prescribe their duties and compensation.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 5 shall be corrected to “Any National Officer, Committee Chairman, member of a Committee, or other authorized representative may receive reimbursement for his authorized activities on behalf of the organization provided that funds are available.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 6 shall be corrected to “All questions affecting the eligibility for office and conduct of National Officers shall be referred to and determined by the National Executive Committee. All questions affecting the eligibility for office and conduct of the National Executive Committeemen, Department Officers, or members of National Committees may be referred to and determined by the Executive Committee of the Department involved.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 7 shall be corrected to “From the membership of that Executive Committee, the National and State Commanders shall appoint a Grievance Committee, consisting of three (3) members and one (1) alternate member to hear grievances and appeals as are provided for in this Constitution and By-Laws and to report their findings and recommendations to the proper authorities. The Commander shall designate a Chairman. This Committee shall function during the appropriate Convention and during meetings of their respective Executive Committees and at other times as needed. Such appointees shall serve at the pleasure of their Commander. Alternate members shall attend all meetings of the Grievance Committee, but without a vote unless another member is absent or recusing themselves. The Judge Advocate at that level shall serve as a member ex-officio of this Committee, but without a vote.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 9(a) shall be corrected to “Sons of AMVETS recognizes an organization known as the Council of Past National Commanders, to be chaired by the Immediate Past National Commander. The Council shall meet as part of the Spring National Executive Committee Meeting and National Convention and shall present a report at both meetings.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article I, Section 9(c) shall be corrected to “The Council of Past National Commanders shall be the committee for the purpose of the recipient selection process for the National “Aid and Support Award”, and shall meet at each National Convention to conclude this selection process. Upon selection of the next recipient, the committee shall report such selection to the AMVETS Awards Committee for their approval or rejection. The approved recipient shall be announced on the Sons Convention floor, and presentation of the award shall be made by a Past National Commander at the Silver Helmet Banquet during the next Spring NEC.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 1 shall be corrected to “The Commander shall be the Executive Head of the Sons of AMVETS at that level, with full power to enforce the provisions of the Sons of AMVETS Constitution, the By-Laws, and the will of the Convention or annual meeting and that level’s Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 3(a) shall be corrected to “The National Finance Officer shall be responsible for the overseeing and receiving, banking, disbursing and accounting for the National Sons of AMVETS. The National Finance Officer will ensure that all monies are deposited in a timely manner. Disbursement shall NOT exceed seven (7) working days of receipt. The National Finance Officer will direct the Administrative Assistant to deposit all monies (cash, checks, etc.) received at National Headquarters by the end of the business week. On the Department, District and Squadron level, the Finance Officer shall deposit all monies given to him for the Treasury within seven (7) days.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 3(b) shall be corrected to “At the National level the Finance Officer, the Commander, and the Administrative Assistant shall establish a two- (2) signature bank account, or accounts, and countersign all the National Sons of AMVETS checks. At the Department level the Finance Officer shall be responsible for making sure that all checks contain two (2) signatures, with the other officers signatures being the Commander, Adjutant or Executive Secretary. In a State without an Executive Secretary, the First Vice Commanders may be the second signer. At the District and Squadron level the Finance Officer shall be responsible for making sure that three (3) authorized signatures are the Finance Officer, the Commander, the First Vice and/or Adjutant. At the Department, District, and Squadron level, the Finance Officer shall procure from the bank in which the organizational funds are held all needed signature forms and all other forms which are needed to operate our financial books properly.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 3(d) shall be corrected to “At all levels the Finance Officer shall be responsible for the preparation and filing of form 990 and other tax-related forms.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 3(f) shall be corrected to “The Finance Officer shall have the Sons of AMVETS financial records in good order for the annual report, and for turning over to the incoming Finance Officer. The new Finance Officer shall provide a receipt for the Sons of AMVETS books and monies to the outgoing Finance Officer. At the National level, an annual review audit shall be performed by an independent outside accountant prior to October 31st of the calendar year. At all other levels, the Executive Committee will establish an auditing system in accordance with the Constitution & By-Laws.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 3(h) shall be corrected to “The Finance Officer shall be responsible for other duties described in these By-Laws, and other duties designated by the Commander, with the approval of that Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article II, Section 6 shall be corrected to “The Provost Marshal on all levels shall be responsible for the Sons of AMVETS Colors. He shall ascertain that only members in good standing are present at regular, special, and annual meetings. He shall maintain order at all meetings and functions in accordance with instructions from the Commander. He shall assume such other duties, as his Commander shall designate, with the approval of the Executive Board.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article III, Section 1(b) shall be corrected to “The annual membership dues for State Departments shall be established by the State Executive Committee to be presented for approval at the State Convention by two-thirds (2/3) vote. Annual dues for the Sons Squadron shall be no less then their sponsoring AMVETS Post. MAL shall be responsible for State and National dues based on the State in which they live.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article III, Section 1(d) shall be corrected to “Each Squadron, whether Department or non-Department, shall remit annually to the National Department the sum of eleven dollars ($11.00) for each member who is a new member or is renewing on an annual basis of which fifty cents ($.50) will be used for assisting Departments, Districts, or Squadrons. Departments, Districts, and Squadrons can apply for an Assisting Grant, with the approval of the National Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article VIII, Section 1(b) shall be corrected to “At the organizational meeting, called by the Sons Department Commander or his representative for the purpose of making application for Squadron Charter permanent officers shall be elected. Where no Department exists, the Sons National Commander shall appoint a representative from a Local Chartered Squadron to offer assistance at the organizational meeting.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article III, Section 1(e) shall be corrected to “. One Dollar ($1.00) per member shall be budgeted for the purpose of NEC per diems and lodging (or transportation not to exceed equivalent amount of lodging or voucher limits), for scheduled meetings, and shall be accounted for in the annual approved budget based on total membership as of July 31 of each fiscal year, and shall be allocated as stated in the National Department Standing Rules of Operation, not to exceed the annual budget allocation.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article VI, Section 1(b) shall be corrected to “The Executive Committee on all levels may suspend or expel any member on the proper showing of cause. Written charges may be based on disloyalty, neglect of duty, misappropriation of Sons of AMVETS funds, or disregard of the provisions of the Constitution and By-Laws. The National Executive Committee shall provide a Uniform Code of Procedure to be followed in the Revocation, Cancellation, or Suspension of Department, District, or Squadron Charters, or members and a method of appeal to the National Convention and National Executive Committee (Appendix A).”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article IX, Section 1 shall be corrected to “Any member in good standing seeking an Office at any level within the Sons of AMVETS, for which they meet all requirements, but are unable to attend the meeting in which elections will take place must submit a letter or email of acceptance to the Commander of their nomination prior to elections. Their absence from the meeting must be excused.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article IX, Section 2(a) shall be corrected to “Delegates to the State Department Convention from all Squadrons shall be limited to two (2) delegates and two (2) alternate delegates up to the first twenty-five (25) members plus one (1) delegate and one (1) alternate delegate for each additional 15 members or major fraction thereof based on membership figures recorded with the State Department Sons of AMVETS Vice Commander for membership, thirty (30) days prior to State Department Convention. The State Executive Committee shall set forth registration fees not less than sixty (60) days prior to the Convention. One more than half of those registered and eligible to vote shall constitute a quorum. The State Coordinator of the Sons of AMVETS who shall be appointed by the AMVETS State commander shall advise all actions of the Sons of AMVETS and report all findings to the parent organization.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article XI, Section 3 shall be corrected to “These By-Laws shall automatically be amended by any action taken by our National AMVETS organization, affecting the Constitution or By-Laws of the Sons of AMVETS.”; and therefore be it further

**RESOLVED,** that the verbiage in By-Laws, Article XIII shall be corrected to “Sons of AMVETS are a subordinate of AMVETS. Only the National AMVETS organization has the right to amend, alter, change or repeal any of the provisions contained in the Constitution, By-Laws or other governing instruments of the Sons of AMVETS. The National Board of Directors for AMVETS, by majority vote, has the preliminary power to nullify or alter provisions of the Constitution, By-Laws or other governing instruments of the Sons of AMVETS, or its subordinates, if it determines that such provisions or actions are injurious to the AMVETS, or its subordinates.”; and therefore be it further

**RESOLVED,** that the National Webmaster, subject to review of the National Executive Committee, shall amend any forms the above verbiage changes may impact.

COMMITTEE RECOMMENDATIONS:

CONSTITUTION & BY-LAWS COMMITTEE: ADOPT  AMEND  REJECT  NONE 

**FLOOR ACTION**: ADOPTED  ADOPTED (as amended)  REJECTED  TABLED 