Resolution #2018-01

**Subject**: Various spelling and grammar corrections in the Constitution.

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

**WHEREAS,** there are various instances of inaccurate spelling, poor grammar and minor inconsistencies in the Constitution; 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 Constitution, Article III, Section 8 shall be corrected to “The Coordinator on each level of the Sons of AMVETS shall be appointed by the AMVETS Commander on that level. The Coordinator shall oversee all actions of the Sons of AMVETS and shall report all findings to the parent organization, AMVETS. The Coordinator shall be a member of the parent organization at that level.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 1(i) shall be corrected to “In the event of the surrender, cancellation, or forfeiture of a Department Charter, all money, official records, and property shall immediately be surrendered to the Sons of AMVETS National Headquarters to be held in trust for a period no longer than three (3) years. Upon reorganization, they shall receive only those funds being held in their Trust Fund and all other official records and properties of which had been surrendered to National Headquarters.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 2 shall be corrected to “This State Department shall elect a Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Finance Officer, Adjutant, Judge Advocate, and Provost Marshal. The office of Adjutant may be eliminated only by a 2/3 vote of the Convention, provided that the Department has an Executive Director or Executive Secretary to record the minutes. All officers should be properly bonded in accordance with the Sons of AMVETS By-laws.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 3 shall be corrected to “A Chaplain, Public Relations Officer/Historian, VAVS Representative, Legislative Director, Inspector General, Deputy Inspector General and Sons of AMVETS Junior AMVETS Coordinator shall be appointed by the State Department Commander with the approval of his Executive Committee. The State Department will make provisions in their Standing Rules of Operation to provide for a NEC (National Executive Committee) Man and analternate. Other officers shall be appointed by the Commander as he may deem necessary with the approval of his Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 5 shall be corrected to “The State Sons of AMVETS shall meet in convention at the same time and place as our State Organization AMVETS. This includes: State Convention, State Conferences and State Executive Committee (SEC) meetings unless prior approval from the State Organization AMVETS is received.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 5(b) shall be corrected to “The meeting date, time and place of special meetings may be changed by the Executive Committee after they have been called as deemed necessary.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 6(b) shall be corrected to “No Department shall be seated at the National Convention without filing an annual Revalidation/ Officers form on or before July 15th. All Departments must furnish a copy of a filed 990, where applicable, according to IRS regulations. After proper notification to the AMVETS or to the Sons of AMVETS, the Department concerned must be paid in full before they may be seated at the National Convention.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 6(c) shall be corrected to “A Department Commander may be reelected, but shall not serve more than two (2) consecutive terms, unless running unopposed or no other candidate meets the required eligibility. All others Officers may be re-elected or re-appointed as provided by the Department By-Laws.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VI, Section 6(e) shall be corrected to “No Squadron may be seated at their respective State Department Convention without filing a completed local Change of Officers form in seven (7) days prior to opening date of said Convention. Squadrons may be approved by the Executive Board to be seated and vote at said Convention after receipt of said Change of Officers form.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 1(a) shall be corrected to “No District shall elect a State District Commander unless there is a minimum of three (3) Squadrons and one hundred fifty (150) members therein. All Squadrons located in a District with less that these minimum shall be assigned by the State Commander to a neighboring District for the purpose of electing of electing a State District Commander until such time the District reaches minimum Squadron and membership requirements. If District membership falls below the minimum requirements, the said District will lose its seat on the State Executive Committee and any and all rights and privileges until such time as it once again reaches the minimum membership level.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 1(C) shall be corrected to “Sons of AMVETS Districts shall meet at the same time and place as their parent AMVETS District.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 2(A) shall be corrected to “State Districts shall elect a Commander, First Vice Commander, Second Vice Commander, Third Vice Commander, Finance Officer, Adjutant, Judge Advocate and Provost Marshal. All Officers shall be properly bonded in accordance with the Sons of AMVETS By-Laws. No more than two (2) elected officers will be permitted from any one Squadron; however the District Commander does not count against the two (2) officer limit. No Sons of AMVETS member may be a candidate for the office of District Commander unless he has been a member of said District for two (2) consecutive years and held a previous elected office in said District for two (2) terms.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 2(b) shall be corrected to “Nominations of officers shall be held in April. Elections shall be held at the May meeting and newly elected officers shall assume their duties on July 1st.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 2(d) shall be corrected to “Members from the same Squadron cannot hold the office of State District Commander for more than two (2) consecutive terms unless there are no candidates from other Squadrons in their geographical District.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 3(a) shall be corrected to “If there are no candidates for State District Commander from a District, the newly elected State Commander will appoint a qualified Sons of AMVETS member from the District. This is to be done within thirty (30) days following the State Convention. In addition, if a vacancy shall occur in the office of State District Commander the State Commander will appoint a new State District Commander. The State District Commander must be from the same District as the vacancy they fill; such vacancy shall be filled within thirty (30) days. The appointee shall serve until the next State Convention.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VII, Section 3(b) shall be corrected to “In the event of a vacancy in any District office other than Commander regardless of the reason for such vacancy, the District Commander shall appoint a District member to fill the vacant office. Such appointment shall be in compliance with all qualifications and restriction regarding the holding of said office as set forth in any other Article of the Constitution, By-Laws, or Standing Rules of the State District, except for the requirements of election. Upon approval by the District Executive Committee, the appointee shall assume all duties and responsibilities pertaining to the office as though elected.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 1(a) shall be corrected to “Local Squadrons may be formed upon the application of not less than eight (8) members eligible for membership, on a form provided by the Sons of AMVETS National Department. The AMVETS Post and the Department Commander shall approve the application for a Charter. If there is no organized Department, applications shall be forwarded directly to Sons of AMVETS National Headquarters. A Charter shall be issued within ninety (90) days after approval. The National AMVETS Commander, National AMVETS Executive Director, and the Sons of AMVETS National Commander shall sign all Squadron Charters. After its receipt, the Charter application may remain open for a period not to exceed six (6) months. At the end of such time, the names to appear thereon shall be submitted to the Sons of AMVETS National Headquarters.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, 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 Constitution, Article VIII, Section 1(c) shall be corrected to “The Squadron number shall be the same number as its hosting AMVETS Post. Where no AMVETS Post exists, a Squadron shall not be formed.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 1(e) shall be corrected to “In the case of the discontinuance of the AMVET Post by voluntary surrender of its Charter or by forfeiture or revocation of its Charter, the Squadron shall continue to operate for a period of not more than one (1) year in order to finalize its business affairs or to allow the hosting AMVETS Post to reform. After one (1) year, each member has the choice of becoming MAL (if outside the 50 mile radius) or transferring to another Squadron.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 1(f) shall be corrected to “A Squadron shall be considered in good standing when all requirements as set forth in this Constitution have been fulfilled.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 1(k) shall be corrected to “It shall be the duty of the Local Squadron Executive Committee to require, collect and forward through the proper Squadron Officers, all forms (IRS 990, etc.) and donations to the National Programs to the appropriate Department Officers. Where no Department exists, all forms shall be forwarded to Sons of AMVETS National Headquarters.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 2(a) shall be corrected to “The Local Squadron Executive Committee shall be composed of the Commander, all elected Officers and the Immediate Past Commander, as outlined by the Sons of AMVETS By-Laws. Special meetings of the Executive Committee may be held on reasonable notice of the membership at the call of the Commander, or by four (4) members of the Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 3(b) shall be corrected to “Nominations for Officers shall be made from the floor. New Officers shall be elected and installed prior to June 1st and take office on June 1st.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 3(c) shall be corrected to “The Commander, with the approval of the Executive Committee, shall fill vacancies occurring in the Local Squadrons.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 3(d) shall be corrected to “In the event of any vacancy in the office of Squadron Commander, the 1st Vice Commander shall temporarily succeed to that office. Within forty-five (45) days the Squadron, at a regular or special meeting, shall nominate and elect a member to complete the unexpired term of Commander.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article VIII, Section 5 shall be corrected to “In the event of the surrender, cancellation, or forfeiture of a Squadron Charter, all money, official records, and property shall immediately be surrendered to the Department Sons of AMVETS, to be held in trust for a period of no longer than three (3) years. If the Squadron is reinstated or reactivated within that three (3) year period, such monies, papers, records, etc. shall be delivered to such reorganized Squadron in connection with the Charter. A reactivated Squadron may have the privilege of reopening their Charter for a period of no longer than six (6) months.

At the end of three (3) years, if the Squadron remains inactive, all properties shall become the permanent possession of the Department Sons of AMVETS. If no Department exists, all properties become the possession of the National Sons of AMVETS.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article IX, Section 6(c) shall be corrected to “Charges may be preferred by an elected officer, or by three members of the Executive Committee, on that level based upon disloyalty, neglect of duty, violation of law that reflects unfavorably upon the Sons of AMVETS, dishonesty, or conduct unbecoming of a member of Sons of AMVETS.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article IX, Section 6(d) shall be corrected to “The procedure for the hearing shall be proscribed by the Judge Advocate on that level with the approval of the Executive Committee on that level.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article IX, Section 7 shall be corrected to “National Officers elected at a National Convention shall be installed in office at the same session which they are elected. Their term of office shall be twelve months from September 1st following their election until August 31st of the following calendar year.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article IX, Section 9 shall be corrected to “In the event of a vacancy in any other National Elected Office, the National Commander shall appoint a Sons of AMVETS member to fill the vacant office, with the approval of the National Executive Committee.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article X, Section 1 shall be corrected to “The voting membership of the National Convention shall consist of all elected National Officers, one (1) delegate representative from each Department, and registered delegates from each Squadron. For the purpose of, and at the time of elections of officers, the National Officers will be seated with their respective states. Polling a designated representative of each state will be used to tabulate results. The total of each state shall not exceed that state’s total voting strength. The National Commander shall vote only in the case of a tie, except during the elections of Officers.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article X, Section 2 shall be corrected to “Delegates to the National Convention of the Sons of AMVETS 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 fifteen (15) members, or major fraction thereof, based on membership figures recorded with the National Sons of AMVETS Vice Commander for membership thirty (30) days prior to the National Convention.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article X, Section 3 shall be corrected to “The National Executive Committee shall set registration fees forth not less than sixty (60) days prior to the Convention.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article X, Section 4 shall be corrected to “No State Department delegate shall be eligible to serve as a delegate or alternate delegate of his Squadron as long as he is a voting State Department delegate.”; and therefore be it further

**RESOLVED,** that the verbiage in Constitution, Article XI, Section 3 shall be corrected to “The Finance Committee shall make an annual report to the annual meeting or Convention on that level. Revenue shall be derived from annual dues. The Executive Committee may approve other sources of income based on reasonable projections.”; 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 