

Proposed 2024 Amendments

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PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 24-01

SUBJECT: Update Article XII of the National Constitution

SOURCE: CBL Committee

WHEREAS, The National Bylaws, Appendix A. gives authority for Department Executive Boards, after notice and hearing to cancel, suspend or revoke the charter of any Post for good and sufficient cause, and

WHEREAS, Article XII, Section 2. of the National Constitution gives authority for the National Executive Committee, after notice and hearing before a subcommittee, to cancel, suspend or revoke the charter of any Department for good and sufficient cause, and

WHEREAS, in the event the above described disciplinary action or the voluntary surrender, cancellation or forfeiture of a department or post charter the assets and properties must be surrendered and accounted for, now therefore be it

RESOLVED, that the National Constitution Article XII be changed by the addition of new Section 3 to read as follows:

Section 3.

- (a) On revocation or cancellation of the charter of a post in any department of AMVETS, or a Department, said post or Department shall immediately cease operation and, on revocation or cancellation, turn over its charter and assets to its Department or National Commander or National or Department Executive Committee.
- (b) Authority and procedures are defined in the National Bylaws, Article IV, Sections 2, 3 and 5.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ ADOPT AMEND REJECT NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 24-02

SUBJECT: Update Article II, Section 1 (e) of the National Bylaws

SOURCE: CBL Committee

WHEREAS, Article II, Section 1 (e) identifies the Constitution and Bylaws Committee. A committee appointed by the National Commander, and

WHEREAS, there are no prescribed duties and responsibilities of this committee, now therefore be it

RESOLVED, that the existing Article II, Section 1 (e) be changed to read as follows:

Section 1. (e) Constitution and Bylaws. The duties of the Constitution and Bylaws (CBL) Committee shall include but not limited to the preparation and review of Constitution and Bylaw Amendments generated by the Committee or by affiliated AMVETS organizations, and any Resolutions that require this Committee's oversight.

All changes to the National CBL shall not only focus on the specific issue of proposed CBL amendments but also examine the entire CBL's documents for related changes that might be made to eliminate conflicting and redundant language.

When important issues arise between NECs and Conventions, the CBL Committee will meet utilizing secure online video meeting technology. The meeting minutes will be recorded and forwarded to the National Executive Director for inclusion in the next scheduled NEC or Convention book.

In some cases where the CBL is related to current State and/or Federal laws, this Committee shall seek legal assistance from a licensed corporate law attorney, using the current credentialed JA or a retained attorney.

This Committee's duties shall also consist of maintaining the AMVETS National Officer's Manual.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 24-03

SUBJECT: Update Article II, Section 1. (u) of the National Bylaws

SOURCE: CBL Committee

WHEREAS, Article II, Section 1. (u) identifies the Family Traditions & Protocols Committee. A committee appointed by the National Commander, and

WHEREAS, there are no prescribed duties and responsibilities of this committee, now therefore be it

RESOLVED, that the existing Article II, Section 1. (u) be changed to read as follows:

Section 1. (u) Family Traditions & Protocols Committee. **The Committee's members shall be chosen from each of the AMVETS and AMVETS National Subordinate Organizations.**

A traditions and protocol's document has been created by this Committee. The duties of this Committee shall be to update and maintain this guidance document. Care shall be taken to ensure the information is consistent with both actual practiced activities and other written documents.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-04

SUBJECT: Update Article IV, Section 4 of the National Bylaws

SOURCE: CBL Committee

WHEREAS, the National Constitution, Article XII, Section 3 states, “With the approval of the National Executive Committee, the National Commander, after notice, may invoke and formulate a trusteeship to take over the operation of a department and/or post for good and sufficient reasons and for the well-being of the AMVETS organization. When invoked follow the procedures in AMVETS National Bylaws, Article IV, Section 3 and 4, and

WHEREAS, the National Bylaws, Article IV, Section 4 states, “The National Commander, after written notice to the Department Commander, may invoke and formulate a trusteeship to take over the operation of a Department for good and sufficient reasons and for the well-being of the AMVET Organization, and

WHEREAS, the National Constitution requires approval of the National Executive Committee and this is silent in the National Bylaws, now therefore be it

RESOLVED, the National Bylaws, Section IV, be changed to be in agreement with the National Constitution and read as follows:

National Bylaws, Article IV: Charters

Section 4. With the approval of the National Executive Committee, the National Commander, after notice to the **Post or** Department Commander, may invoke and formulate a trusteeship to take over the operation of a department **and/or post** for good and sufficient reasons and for the well-being of the AMVETS organization.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-05

SUBJECT: Update Article VII, Section 2 (a) of the National Bylaws

SOURCE: CBL Committee

WHEREAS, Article VII, Section 2 (a) identifies requirements for competitive written bids involving expenditures in excess of \$5,000 of National Headquarters AMVETS funds, and

WHEREAS, there is a requirement where the required products are of equal quality, the contract shall be awarded to the lowest bidder, and

WHEREAS, in some instances, there may only be one or two sole source suppliers and that supplier, being the lowest bidder cannot meet the delivery requirements, now therefore be it

RESOLVED, that the existing Article VII, Section 2 (a) be changed to read as follows:

Section 2. (a) No contracts, MOU (memorandums of understanding) or other instruments of agreement involving expenditures in excess of \$5,000 of National Headquarters AMVETS funds shall be negotiated without inviting a reasonable number of competitive written bids, **based on Requests for Proposals (RFP's)**, and where the required products are of equal **description and/or** quality, the contract shall be awarded to the **lowest bidder**.

Exceptions to the lowest bidder restriction are: (i) when there only exists one or two sole-source providers with equal descriptions and/or qualities are unavailable, (ii) when due to unplanned or force-du-majeure conditions exist and timeliness is important (may be related to Appendix F), failure to go forward will be unacceptable to AMVETS, and (iii) when a sole-sourced contract is sought, such as those of a proprietary nature, a governmental agency or legal counsel.

Regardless of these exceptions, any action must have costs that remain within the approved budget.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ ADOPT AMEND REJECT NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-06

SUBJECT: Update National Bylaws, Appendix E., Section 7 (a) paragraph 2

SOURCE: CBL Committee

WHEREAS, The National Constitution, Article VI, Section 5 (e), paragraph 2 states, “A full hearing shall be held by the National Executive Committee on charges preferred against an elected National officer or by three members of the National Executive Committee. Such hearing shall be held within 30 days after the charges are referred and mailed”, and

WHEREAS, National Bylaws, Appendix E, Section 7 (a) paragraph 2 states, “A full hearing shall be held by the Department Executive Committee on charges preferred against an elected Department officer. Such hearing shall be held not less than 30 days after the charges are referred and mailed, and

WHEREAS, in too many instances department elected officers are held out of office way too long waiting for a scheduled hearing, and

WHEREAS, department level elected officers deserve the same consideration as a national officer, now therefore, be it

RESOLVED, that the National Bylaws, Appendix E, Section 7 (a), paragraph 2 be changed to read:

A full hearing shall be held by the Department Executive Committee on charges preferred against an elected Department officer. Such hearing shall be held ~~within not less than~~ 30 days after the charges are referred and mailed, and

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-07

SUBJECT: Update Article V, Section 1; states ineligible to host national conventions

SOURCE: National Headquarters

WHEREAS, The National Constitution, Article V, Section 1, states, “A National Convention shall be held annually in the United States of America within a chartered Department during the first two weeks of August, at a time and place selected by the delegates present and voting at a National Convention not more than five years in advance,” and

WHEREAS, for many years the “host department” was expected to provide significant direct support to the planning and running the National Convention, and

WHEREAS, those expectations were removed over the past decade out of necessity because numerous Departments were unable financially to provide such support even with a modest stipend from National Headquarters, and

WHEREAS, very little is now expected from the host Department unless the host Department makes promises during the bidding process, and

WHEREAS, some states that have convention-friendly pricing and laws are precluded from being considered as National Convention sites because AMVETS does not have organized Departments there, be it

RESOLVED, that Article V, Section 1, first paragraph be changed to read:

A National Convention shall be held annually in the United States of America ~~within a chartered Department~~ during the first two weeks of August, at a time and place selected by the delegates present and voting at a National Convention not more than five years in advance.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-08

SUBJECT: Update Article III, Section 1; mandated location of National HQ

SOURCE: National Headquarters

WHEREAS, The National Constitution, Article III, Section 1, states, “AMVETS shall be organized with a National headquarters located in Maryland, a Department in each state, District of Columbia, United States territories, and at such other places and countries as authorized by the National Convention or an intervening National Executive Committee (NEC) meeting...” and

WHEREAS, the first AMVETS National Headquarters was opened in the District of Columbia in 1952 and relocated about 30 years later to its current building in Lanham, Maryland, and

WHEREAS, the cost of living and doing business in the greater Washington, D.C., area has skyrocketed with massive commercial development over the past 40 years, and is now among the most expensive places to operate an organization in the United States, and

WHEREAS, every other similar-sized, membership-based national veterans service organization has located or relocated its primary national headquarters outside of the national capital region, and

WHEREAS, the number of AMVETS employees needing to be in close proximity to Washington, D.C., for work purposes has declined to single digits, be it

RESOLVED, that Article III, Section 1, first paragraph be changed to read:

AMVETS shall be organized with a National headquarters located in **Maryland** the United States, a Department in each state, District of Columbia, United States territories, and at such other places and countries as authorized by the National Convention or an intervening National Executive Committee (NEC) meeting. Local posts shall be formed within these entities, and intermediate administrative groups may be created by the National Executive Committee and Department Executive Committees to function within their respective jurisdiction where such action is deemed advisable.

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ ADOPT AMEND REJECT NONE

PROPOSED AMENDMENTS

DRAFT CBL AMENDMENT – CBL 23-09

SUBJECT: Removal of National Third Vice Commander position in the CBL

SOURCE: Department of District of Columbia

WHEREAS, the National Third Vice Commander is responsible for the oversight of legislative matters of the organization; and

WHEREAS, the National Third Vice Commander position was instituted to support the position of National Legislative Director; and

WHEREAS, National no longer has a legislative director position but a lobbyist firm representing our interests on Capitol Hill; and

WHEREAS, said firm creates and publishes legislative updates forwarded to all legislative contacts of the departments listing our position on legislative matters and bills affecting veterans; and

WHEREAS, unless an AMVET is located in the District of Columbia area, the Third Vice Commander would not have any presence on Capitol Hill, and

WHEREAS, the financial burden of this position outweighs the usefulness of the position; now therefore be it

RESOLVED, that AMVETS National Constitution Article VI Section 1. (a) be amended to remove the position of National Third Vice Commander; and be it further

RESOLVED, that Article III, Section 2. (c) be removed in its entirety

DEPARTMENT RECOMMENDATION:

DEPARTMENT of _____ [] ADOPT [] AMEND [] REJECT [] NONE