



# **AMVETS**

**Department of Pennsylvania**

## **Bylaws**

**Adopted in Annual Department Convention June 16, 2007**  
Amended September 13, 2015

# **Preamble**

## **to the AMVETS National Constitution**

We, the American Veterans who have served or are serving in the Armed Forces of the United States during and since World War II, fully realizing our responsibility to our community, to our state and to our nation, associate ourselves for the following purposes: to uphold and defend the Constitution of the United States; to safeguard the principles of freedom, liberty and justice for all; to promote the cause of peace and goodwill among nations; to maintain inviolate the freedom of our country; to preserve the fundamentals of democracy; to perpetuate the friendship and associations of these veterans; and to dedicate ourselves to the cause of mutual assistance, this by the grace of God.

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## **Article I: Name**

The name of this organization shall be AMVETS (American Veterans) Department of Pennsylvania, Inc., and it shall be hereinafter referred to as AMVETS.

## **Article II: Aims and Purposes**

The aims and purposes of this organization are as follows:

- (1)** To serve our country in peace as in war; to build and maintain the welfare of the United States of America toward lasting prosperity and peace for all its inhabitants.
- (2)** To encourage, in keeping with policies of our government, the establishment of a concrete plan to secure permanent international peace and to assist in the maintenance of international peace.
- (3)** To inspire in our membership a sense of responsibility and to develop leadership for the preservation of our American democratic way of life.
- (4)** To help unify divergent groups in the overall interest of American democracy.
- (5)** To train our youth to become purposeful citizens in a democracy with full knowledge of the responsibilities as well as the privileges of citizenship.
- (6)** To cooperate with all duly recognized existing veterans organizations in the furtherance of the aims of the veterans who have served or are serving in the Armed Forces of the United States during and since World War II.
- (7)** To ensure the orderly return of the veteran to civilian life by protecting the rights of individuals while the service member is still in uniform.
- (8)** To expedite and assist in the rehabilitation of veterans by maintaining employment services; sponsoring educational opportunities; providing counsel on insurance, housing, recreation, personal problems, hospitalization and veterans benefits.
- (9)** To act as a liaison agent between the veteran and the government.
- (10)** To provide an organization to encourage fellowship among all American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.
- (11)** To keep the public forever reminded that the American veterans who have served or are serving in the Armed Forces of the United States during and since World War II fought and served to preserve peace, liberty and democracy for their nation.

## **Article III: Definitions**

**SECTION 1:** The word “Department” wherever it shall appear in the By-Laws, unless otherwise described, shall be construed as referring to the Pennsylvania State Department of AMVETS.

**SECTION 2:** The word “He” wherever is shall appear in the By-Laws of the Department shall be construed as referring to both sexes.

**SECTION 3:** The words “in good standing” wherever they may appear in the By-Laws in relation to Post, shall mean any Post not under suspension, and whose charter has not been revoked or canceled, and who has submitted dues for members to the State Department and to National as provided for in the Department and National By-laws; in relation to members, shall mean any member whose dues are paid for the current year and whose membership is not suspended or revoked.

## **Article IV: Organization**

**SECTION 1:** The AMVETS (American Veterans) Department of Pennsylvania shall be chartered with a State Department Headquarters at a location deemed by the State Executive Committee to be most suitable for the best interest of the organization.

**SECTION 2:** The State Department shall be composed of state officers—both elected and appointed—and the members of the State Executive Committee. It shall be the duty of the state officers to advance the cause of AMVETS, to carry out its aims and purposes, and to provide for realization of the plans and policies established by the mandates of the national and state conventions and the National and State Executive Committees, and represent its members in state affairs.

**SECTION 3:** Local Posts shall be chartered by the National Department and administered by the State Department, but shall be governed locally by their own officers chosen according to their constitution and by-laws. The policies, activities and actions of the local Posts must never be at variance with those prescribed by National Department or the State Department.

## **Article V: Membership**

**SECTION 1:** Any person who served or is currently serving in the Armed Forces of the United States of America at any time after Sept. 15, 1940, is eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release from active duty—is

by honorable discharge, honorable separation or general discharge under honorable conditions. Any American citizen, as an American citizen, who served in the Armed Forces of an Allied nation of the United States at any time after Sept. 15, 1940, and before May 8, 1975, is eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release from active duty—is by honorable discharge or honorable separation. No person who is a member of, or who advocates the principles of, any organization believing in, or working for the overthrow of the United States government by force, and no American citizen or permanent resident alien in the United States, one of its territories, possessions or the District of Columbia who refuses to uphold and defend the Constitution of the United States shall be privileged to become, or continue to be, a member of this organization. All United States reservists and national guardsmen who are now serving, or have been honorably discharged since Sept. 15, 1940, are eligible for regular membership in AMVETS, provided such service—when terminated by discharge or release is by honorable discharge or honorable separation.

(a) Proof of membership eligibility shall be DD-214, Military I.D. card, honorable discharge papers or other acceptable documents.

**SECTION 2:** Honorary memberships shall not be granted. In lieu thereof, certificates of merit may be awarded to individuals, organizations and schools for rendering distinct service to their community or to AMVETS. Awards must be approved by the Honors and Awards Committee. No member of AMVETS shall be entitled to receive a Certificate of Merit.

**SECTION 3:** No person shall be a member of more than one Post at any one time. No person expelled by one Post shall be eligible for membership in any other Post without the consent of the expelling Post or the consent of the Department Executive Committee, after hearing an appeal.

*(a) Any Post in the Department that expels a member for just cause, must notify Department Headquarters within ten (10) days of said decision.*

**SECTION 4:** Any member of AMVETS classified as a member-at-large may not hold an elected or appointed office at any level in the AMVET organization.

**SECTION 5:** Membership year is set by National AMVETS. Eligibility for membership and the rights and privileges of members shall be as provided in the constitution and by-laws of AMVETS and the terms of membership and requirements for holding office within AMVETS shall not be discriminatory on the basis of race, color, religion, sex or national origin.

**SECTION 6:** There shall be but one type of membership as described in Section 1 of this article.

**SECTION 7:** Any member in good standing may change his Post or Department, and may join a new Post without paying current annual dues upon proof of his previous good standing.

Approval to transfer must be received by the Post that the member is transferring from as well as the Post the member is transferring to.

## **Article VI: Department Officers**

**SECTION 1: Eligibility for Office.** Any member of a Post in good standing with the Department shall be eligible to hold office, but at no time shall any member of the AMVETS be selected to serve on more than one (1) elected department office. Duly elected or appointed Department Officers will serve on any and all committees, corporations, and/or foundations as instructed by the Department's By-Laws. Elected Department Commanders shall not succeed themselves in office. A Department Commander may be elected to serve a concurrent term if said Department Commander fills the unexpired term of the previous Department Commander.

**SECTION 2: Elected Officers.** The department elected officers include: Commander, First Vice Commander, Second Vice Commander, Finance Officer, Provost Marshal, Judge Advocate, National Executive Committeeman, Alternate National Executive Committeeman, National Convention Delegate and Alternate National Convention Delegate.

(a) Eastern Region Commander, Central Region Commander and Western Region Commander are considered as department officers.

### **SECTION 3: Appointed Officers.**

(a) The department commander shall appoint the Department Executive Director, on recommendation of the Personnel Advisory Committee, and with subsequent ratification by the State Executive Committee.

(b) The department commander shall annually appoint, with the approval of the State Executive Committee: Service Director, Chaplain, Inspector General, Public Relations Officer (PRO), Quartermaster, Historian, Liaison(s), National Guard Liaison, Resolutions Chair, Americanism Chair, A.A.D.A.A. Chair, Veterans Cemetery Rep., VAVS Rep., POW/MIA Rep., Women Vets Rep., Vietnam Vets Rep., Persian Gulf War Vets Rep., Operation Enduring Freedom Vets Rep., Operation Iraqi Freedom Vets Rep., and such other officers as may be deemed appropriate from time to time.

### **SECTION 4: Removal and recall of officers.**

(a) The Commander with the consent of the Executive Committee may remove an appointed State Officer,

## **Article VII: Duties of Officers**

**SECTION 1: Department Commander.** The department commander shall be the executive head of AMVETS Department of Pennsylvania, with full power to enforce the provisions of the national and department constitution and bylaws and the will of the department convention and department executive committee. The department commander shall serve as ex-officio member without vote on all committees. The department commander shall perform such other duties as are usually incident to the office.

**SECTION 2: Department Vice Commanders.** The department vice commanders shall act as representatives of the department commander in all matters referred to them by the department commander and, on the department commander's request, preside over sessions of the department convention or the state executive committee.

**(a) Department First Vice Commander.** The department first vice commander shall be primarily responsible for the membership of the organization, coordinate all post membership directors or vice commanders in charge of membership and chair the department membership committee. The department first vice commander shall also—

- (1) Correlate the mandates on membership between the national headquarters, the department headquarters, the regions and posts;
- (2) Review and reevaluate current membership programs and report recommendations to the department commander, the state executive committee and the department convention;
- (3) Endeavor to create and present new membership incentives to the department commander and the state executive committee;
- (4) Be informed as to the membership strength of the department, regions and posts. The department first vice commander shall be responsible for seeing that this information is circulated monthly to region commanders, post commanders and adjutants, and to all department officers, or that they know how to access it.
- (5) Perform such other duties in connection with membership as the department commander shall direct.

**(b) Department Second Vice Commander.** The department second vice commander shall be primarily responsible for the programs of the organization, coordinate all department program chairmen and post vice commanders in charge of programs and chair the department programs committee. He shall be responsible for the department's annual fund raising program. The Immediate Past Second Vice Commander shall submit all related records and finances to an Auditing Committee at the *last* State Executive Committee Meeting *before State Convention*. The department second vice commander shall also—

- (1) Review and reevaluate the existing programs and report recommendations to the department commander, the state executive committee and the department convention;
- (2) coordinate all programs between national headquarters, department headquarters and post levels;
- (3) Be responsible for studying and recommending new programs to the department commander and the state executive committee for consideration;
- (4) Be indoctrinated on all programs instituted by the national organization, the department, its subordinates and its posts, especially those involving contact with the general public.
- (5) Perform such other duties in connection with AMVET programs as the department commander shall direct.

**SECTION 3: Department Executive Director.** The department executive director shall be charged with the administration of the policies and mandates of the department convention, the state executive committee and the department commander. He shall supervise the activities of the department headquarters, issue such directives as may be necessary within the headquarters and to posts; act for the department commander during the department commander's absence from department headquarters and perform such other duties as are usually incident to the office. The department executive director shall serve as secretary and legislative director of AMVETS Department of Pennsylvania. The department executive director shall serve at the pleasure of the department commander and the state executive committee. The department executive director shall be the personnel officer for all employees at department Headquarters. He shall maintain all records, retain all copies of correspondence, and be responsible for all routine business of the Department. He shall sign all checks disbursing funds of the Department. He shall be the spokesman for the Department in the absence of the Commander.

(a) Eligibility for membership in AMVETS is a prerequisite to compete for this position and maintaining active membership is a requirement to hold the position.

*(b) NO paid employee of DEPARTMENT HEADQUARTERS and/or DEPARTMENT SERVICE FOUNDATION, shall be eligible for election to any NATIONAL and/or DEPARTMENT office in AMVETS, nor shall the paid employee participate in the election or pre-election activities on the part of any candidate for election to office in AMVETS, However said employee shall have the right to vote. Any violation of this provision shall be cause for dismissal from the employee's paid position*

**SECTION 4: Department Finance Officer.** The department finance officer shall be custodian of the funds of the state department and chair the department finance committee. All checks disbursing the funds of the state organization shall be signed by two or more persons as designated by the State Executive Committee and the finance officer shall make reports on the condition of the department treasury when called for by the state commander or State Executive Committee. The state department shall provide a surety bond for said position. The finance officer shall perform such other duties as are usually incident to the office.

**SECTION 5: Department Provost Marshal.** The department provost marshal shall maintain order at the department convention, SEC meetings and such other ceremonies/functions as directed by the department commander. He shall distribute, collect and count ballots and shall announce the result of the voting, therefore making it mandatory for him to be on the floor at all times, and he shall perform such other duties as may be requested by the Commander. The provost marshal shall perform such other duties as are usually incident to the office.

**SECTION 6: Department Judge Advocate.** The department judge advocate shall advise the department officers and the state executive committee on all legal matters, including contracts, and the construction and interpretation of the Constitution and Bylaws, and chair the department constitution and bylaws committee. The department judge advocate shall review all contracts prior to execution by the organization and serve as an ex-officio member without vote on all

committees. The judge advocate shall perform such other duties as are usually incident to the office.

**SECTION 7: National Executive Committeeman and Alternate National Executive Committeeman.** The National Executive Committeeman or his alternate, when so required, shall cast his vote with the majority of the State Delegates at any National Convention. As the Department's representative at National Executive Committee meetings, the National Executive Committeeman or his Alternate, when so required, shall cast his vote in all matters as instructed by the State Executive Committee and where no instructions have been issued he shall then cast his vote in the best interest of the Department. The National Executive Committeeman or his alternate, when so required, shall report to each State Executive Committee meeting on the actions of the National Executive Committee and the National Department.

**SECTION 8: National Convention Delegate and Alternate National Convention Delegate.** The National Convention Delegate or his alternate are elected for the sole purpose of heading the state delegation to the National Convention and reporting on the National Convention to the next State Executive Committee meeting. As the Department's representative to the National Convention, the National Convention Delegate or his alternate, when so required, shall cast his vote with the majority of the State Delegates at the National Convention.

**SECTION 9: Region Commanders.** The three Region Commanders are the Eastern, Central and Western. The duties of the Region Commanders shall be to organize new posts in their region, reorganize posts whose charters have been revoked or suspended, conduct schools of instruction at Regional meetings for Post Officers, and act as Liaison between the Department Commander and Post Commanders in their Region. They may appoint three (3) Deputy Vice Commanders to assist them. The region commander from each of the recognized state regions shall report at SEC meetings, chair region meetings and act on behalf of the department commander. When called on by the department commander, the region commander shall travel within the geographic boundaries of the region for the purpose of representing the organization, investigate or assist in settling disputes, follow up, make recommendations and report activities.

**SECTION 10: Department Service Director.** This person shall be a certified Service Officer, and shall direct and instruct the Region and Post Service Officers, in coordination with the National Service Officers.

(a) The Service Officers shall be the Welfare Officers of the Department. They shall be directly concerned with the welfare of all members and they shall act as Liaison Officer between the Executive Committee and the Federal and State Agencies charged with Veterans Affairs, and shall act in direct assistance to Post Service Officers.

**SECTION 11: Department Chaplain.** The department chaplain shall perform such divine and nonsectarian services as may be necessary, adhering to the ceremonial rituals as may be recommended by the state or national department from time to time, and discharge of other duties incident to the office.

**SECTION 12: Department Inspector General.** The department inspector general shall be the investigating officer of the organization. By direction of the department commander or the state executive committee, the department inspector general shall make any necessary investigations pertaining to grievances, disciplinary cases, fraud or dishonesty within the organization and charges of conduct unbecoming an AMVET, and shall be empowered to have access to all records, financial and otherwise, of all regions, posts, post officers or members when necessary for the discharge of the department inspector general duties. In making such investigations, the department inspector general shall report to the department commander who shall, in turn, review the findings with the department judge advocate and, if warranted, report to the state executive committee. The department inspector general shall serve at the pleasure of the department commander and the state executive committee.

**SECTION 13: Department Public Relations Officer (PRO).** The Public Relations Officer shall keep the public and the members informed relative to the activities of the department, chair the Public Relations Committee, and perform such other duties usually incident to the position.

**SECTION 14: Department Quartermaster.** The Quartermaster shall *try to* maintain a stock of AMVETS and Subordinate Affiliate items and devices and apparel to serve the members by *having information on marketing such items at State Convention, State Executive Meetings, and through direct contact between meetings.*

**SECTION 15: Department Historian.** The Historian shall compile from year to year all records of historical value for the Department. He shall also assist Past Historians so as to coordinate and unify the work of these officials, and shall have such other duties as the Executive Committee may prescribe.

**SECTION 16: Department Liaison(s).** The commander's liaison(s) to subordinate organizations shall promote open communication and maintain relationships to initiate coordination of issues among the department level leadership of the AMVETS family of organizations.

**SECTION 17: National Guard Liaison.** The National Guard Liaison shall serve as the commander's liaison to the Pennsylvania National Guard, headquartered at Fort Indiantown Gap, Annville, PA. Responsibilities shall be directed by the National AMVETS partnership with the National Guard Bureau, the department commander and the State Executive Committee.

**SECTION 18: Department Resolutions Chair.** The resolutions chair shall receive all resolutions properly submitted for consideration by the state convention, assure they are properly developed and formatted, distribute them to the proper committee(s) for committee

recommendations and present them for consideration by the convention body and maintain follow-up.

**SECTION 19: Department Americanism Chair.** The Americanism Chair shall have overall responsibility for planning and execution of the state Americanism program and shall partner with Ladies Auxiliary and Sons of AMVETS counterparts to coordinate and deliver the statewide program throughout the year and the awards event at the annual state convention. The annual budget must be submitted to and be approved by the Dept. finance committee.

**SECTION 20: Department A.A.D.A.A Chair:** The A.A.D.A.A. Chair shall have overall responsibility for the planning and execution of the state AMVETS Against Drug and Alcohol Abuse (A.A.D.A.A.) program and shall partner with Ladies Auxiliary and Sons of AMVETS counterparts to coordinate and deliver the statewide program throughout the year and at the awards event at the annual state convention. The annual budget must be submitted to and be approved by the Dept. finance committee.

**SECTION 21: Grievance Committee Chair:** The Grievance Committee Chair shall preside over grievance and appeal hearings at the call of the commander or State Executive Committee.

**SECTION 22:** No official may exceed his duties as herein outlined, except by direction of the department commander.

*SECTION 23: The IMMEDIATE PAST DEPARTMENT COMMANDER, shall sit on all committees with voice and vote, and chair HONOR and AWARDS COMMITTEE.*

## **Article VIII: Standing Committees**

**SECTION 1: Constitution and Bylaws.** The Constitution and By-Laws Committee is chaired by the Department Judge Advocate and includes six (6) additional voting members: the three (3) elected regional Judge Advocates and three (3) at-large members serving rotating three (3) year terms with one elected each year at the post-convention S.E.C. Meeting. Ex-officio members with voice but no vote include the Department Executive Director (who shall act as secretary), Department Commander, Department Finance Officer and Immediate Past Department Commander. This Committee may recommend amendments to the Constitution and By-Laws at the State Convention.

**SECTION 2: Convention Rules.** The Convention Rules committee for the Dept. of Pennsylvania is the Convention Corporation which will produce and present convention rules for approval in accordance with Appendix E, Section 3.of the Uniform National Constitution & Bylaws.

**SECTION 3: Credentials:** The Convention Rules committee shall act as the Credentials Committee, and will have the authority in ruling on the qualifications of an AMVET or post in

good standing, in accordance with Appendix E, Section 3. of the Uniform National Constitution & Bylaws.

**SECTION 4: Finance.** The State Finance Committee under the Chairmanship of the Department Finance Officer shall be charged with preparing the Annual Budget, the raising of funds and the handling of the funds under the budget, and such other duties as shall be prescribed by the Commander, subject to the approval of the Convention Body. The Finance Committee shall consist of the Commander, Immediate Past Commander, Finance Officer, Judge Advocate, Executive Director (who shall act as Secretary and shall be an ex-officio member with voice but no vote) and three (3) members whose term of office shall last for three (3) rotating years with one elected each year at the post-convention State Executive Committee meeting. The Commander, with State Executive Committee approval, shall appoint a member to fill any vacancy.

**SECTION 5: Grievance.** From among the voting membership of the State Executive Committee, the state commander shall appoint a State Grievance Committee, consisting of three members, to hear grievances and appeals as are provided for in the national constitution and bylaws and to report its findings and recommendations to the State Executive Committee. The state commander shall designate the chairperson. This committee shall function during the state convention, meetings of the State Executive Committee, and upon the call of the state commander or State Executive Committee. Such appointees shall serve at the pleasure of the state commander with the advice and consent of the State Executive Committee. The state commander and judge advocate shall serve as ex-officio member of this committee without vote.

**SECTION 6: Honors and Awards.** The Honors and Awards Committee shall be made up of all Past Department Commanders of the Pennsylvania State Department AMVETS, with the immediate Past State Commander acting as chairman. The current Commander shall be entitled to sit on the committee but shall have no vote on transactions of the committee, except that in the event of a tie in the selection of the Award Winners, he shall be responsible for casting the deciding vote. The Committee shall meet at the call of the Chairman, providing each member is given a minimum of five (5) days notice of the meeting. The Silver Bayonet and AMVET of the Year recipient will be chosen at the *last* State Executive Committee Meeting *before* State Convention.

**SECTION 7: Legislative:** The Legislative Committee shall be made up of the Region Adjutants/Executive Directors and chaired by the Dept. Executive Director.

**SECTION 8: Membership.** The Membership Committee is chaired by the 1<sup>st</sup> Vice Commander and includes six (6) additional voting members: the three (3) elected regional vice commanders and three (3) at-large members appointed by the Commander. Ex-officio members with voice but no vote include the Department Executive Director (who shall act as secretary) and the Department Commander. The primary objectives of the Membership Committee are to (a) network with post 1<sup>st</sup> Vice Commanders to highlight successful post membership programs and promote use of existing membership processing and promotional tools, (b) develop new cost-effective means to promote membership growth and post growth and (c) serve members.

**SECTION 9: Operations.** The Operations Committee, comprised of the Department Commander, Executive Director and Finance Officer, shall have jurisdiction and control of the Department Motor Vehicles that are registered within the Commonwealth of Pennsylvania. This will include the purchase, maintenance and insurance of each form of transportation that the Department deems necessary. The Executive Director shall report to the State Executive Committee and to the Delegates at the Annual Convention on the condition of each vehicle. The Committee will also evaluate said motor vehicles every two (2) years from the date of purchase. The Convention Body shall vote on acquiring a new vehicle within that fiscal year. This will include any trailers that the Department has under its control. The Operation Committee shall also have the authority to act in any situations they jointly deem emergencies. They as a whole have the right to make expenditures up to one thousand five hundred (\$1,500.00) dollars. This includes all equipment that is used in the course of conducting business and the motor vehicles that are under the Department jurisdiction. The Commander shall report the reason and cost for each emergency to the State Executive Committee and the Annual State Convention.

**SECTION 10: Personnel.** The Personnel Committee shall be comprised five (5) distinguished members (with at least one (1) from each Region) appointed by the Commander to perform the annual review of the Department Employee Handbook and revisions *shall be presented at the next SEC, to inform the body of such changes.*

(a) The Personnel Committee shall also serve as the Search and Selection Committee in the event of an employee vacancy during the year. When the position to be filled reports to the Executive Director, he shall be included in the screening and selection process, along with a minimum of two (2) committee members. The Executive Director shall vote in the event of a tie and shall be the one to announce the result and complete the hiring process.

(b) When the position to be filled is Executive Director, the Commander shall join the full committee for Search and Selection. The Commander shall vote in the event of a tie and shall be the one to announce the result and complete the hiring process, subject to ratification by the State Executive Committee at its next meeting.

**SECTION 11: Programs.** The Programs Committee is chaired by the 2<sup>nd</sup> Vice Commander and includes the department chair for each state or national program and three (3) members-at-large appointed by the commander. Ex-officio members with voice but no vote include the Department Executive Director (who shall act as secretary) and the Department Commander. The primary objectives of the Programs Committee are to (a) network with post 2<sup>nd</sup> Vice Commanders to promote existing state and national programs and encourage new local program initiatives, with statewide sharing of successes, (b) explore means to engage more members/posts in AMVETS programs, making them more visible in the community, and (c) enhance timeliness and completeness of program reporting.

**SECTION 12: Public Relations.** The Public Relations Committee is chaired by the Department PRO and includes the three (3) region commanders and three (3) at-large members appointed by the commander. Ex-officio members with voice but no vote include the Executive Director (who shall act as secretary) and the Department 1<sup>st</sup> and 2<sup>nd</sup> Vice Commanders. The primary objectives of the Public Relations Committee are to (a) network with post PRO's and the national

communications department to enhance and encourage local and state external media coverage of AMVETS events as well as internal coverage in local, state and national AMVETS publications, (b) increase public awareness of AMVETS so that we might serve our communities better and serve more of our fellow veterans.

**SECTION 13: Resolutions.** The Resolutions Committee shall be comprised of the appointed chairman and the three Region Judge Advocates. They shall meet at *all SEC meetings or as needed or at the call of the chairman* and prior to the annual state convention to review, revise, and return resolutions as necessary and at the end of the convention to verify changes, adoption status, and any reformatting needed for forwarding to national headquarters.

## **Article IX: Regions**

**SECTION 1:** The Region Commander shall be notified by the Department Commander of any complaints he or the Executive Director or the Department Judge Advocate receive about Post, Officers or members not acting in accordance to the National or Department Constitutions. It shall be the duty of the Region Commander acting in accordance with the Department Inspector General or his Deputy(s) to investigate these complaints and mail their findings to Department Headquarters immediately.

**SECTION 2:** Meetings: Western Region meetings shall be held three (3) weeks prior to, Eastern Region meetings shall be held two (2) weeks prior to and the Central Region meetings shall be held one (1) week prior to the State Executive Committee meetings and no County Council meetings shall be held on the days of their respective Region meeting.

*(a) Region Meetings can only be changed by vote of said REGION and ratified by said REGION body, and notice relayed to Department Commander and Department Headquarters within 24 hours of change.*

**SECTION 3:** Department Regions can be changed only by an act of the Department Convention assembled in lawful sessions.

**SECTION 4:** All active AMVETS in good standing in their respective Posts under the jurisdiction of the Region are eligible to vote in Region meetings.

**SECTION 5:** No person may hold two (2) elective offices in the Region at the same time.

**SECTION 6:** Jurisdiction of the Regional Commanders shall extend no further than their respective boundaries.

**SECTION 7:** Philadelphia, Delaware, Bucks, Lehigh, Chester, Lakawanna, Wyoming, Susquehanna, Luzerne, Schuylkill, Montgomery, Berks, Northampton, Carbon, Bradford and Monroe Counties are under the supervision of the Commander of the Eastern Region.

**SECTION 8:** Lancaster, Northumberland, Sullivan, Lebanon, Dauphin, Perry, Juniata, Lycoming, Columbia, Montour, Clinton, Cameron, Potter, Tioga, Union, Snyder, Mifflin, Huntingdon, Fulton, Franklin, Bedford, York, Adams, Cumberland, Blair and Centre Counties are under the supervision of the Commander of the Central Region.

**SECTION 9:** Cambria, Somerset, Clearfield, Westmoreland, Indiana, Armstrong, Jefferson, Clarion, Venango, Forest, Elk, McKean, Warren, Erie, Crawford, Mercer, Butler, Lawrence, Beaver, Greene, Washington, Fayette and Allegheny Counties are under the supervision of the Commander of the Western Region.

**SECTION 10:** It shall be the responsibility of the Region Commanders or the Region Adjutants/Executive Directors to submit the names of all elected and appointed officers of their said Region to the Department Headquarters no later than 1 July of the new fiscal year.

## **Article X: County Councils**

**SECTION 1:** Councils shall coordinate an exchange of ideas between Posts located in their Counties or Districts.

**SECTION 2:** Councils shall coordinate efforts of the Posts so that their functions do not conflict.

**SECTION 3:** No action taken by a Council shall be at variance with the National and State Constitution and By-Laws or Rules.

**SECTION 4:** State and National dues shall be sent directly from local Posts to State Headquarters and shall not pass through any Council.

**SECTION 5:** County Councils may be formed by the Posts located within their boundaries.

**SECTION 6:** Each local Post shall have as many representatives in a Council as the delegates shall decide by a majority vote.

**SECTION 7:** Councils shall have the power to raise monies that are necessary and proper for their operating expenses by any means that are legal and moral and consistent with the ordinary practices of organizations.

**SECTION 8:** Councils shall have the right to charge the duly elected delegates from each member Post, such dues as a majority of its delegates shall determine. Each Post is responsible for payment of its delegate's dues.

**SECTION 9:** All Posts located within the area of a Council may be members of the Council and abide by its Constitution, By-Laws, Rules and Regulations; and failure to do so shall be sufficient cause for the recommendation and suspension of its charter by the State Department.

**SECTION 10:** Appeals from Council decisions may be made by any member Post direct to the Executive Committee of the State Department.

**SECTION 11:** Jurisdiction of County Councils shall not extend beyond their respective boundaries.

**SECTION 12:** No Council shall be formed that shall consist of less than one entire County.

## **Article XI: Local Posts**

**SECTION 1:** Local Posts may be formed by any ten (10) eligible individuals by making application to this Department. If the Department approves, the application shall be forwarded to the National Headquarters and a Charter may be issued upon approval of the National Department authorities.

**SECTION 2:** Local Posts are subject to the jurisdiction of the National Headquarters and the Department Headquarters. They shall be named for geographical locations or for a Veteran who sacrificed his or her life in WAR or any Armed Conflict that United States Armed Forces have been involved in; and the number of their Post shall be any number not currently used or not in use for a period of at least one (1) year. The final approval of the name of the Post and/or the number shall be made by the AMVETS Department of Pennsylvania and the AMVETS National Headquarters as chartered by the same.

**SECTION 3:** The election of Post Officers shall be held between May 1st and May 31st each year and the Officers' list must be submitted to the Pennsylvania State Headquarters prior to the annual State Convention. The elected Post Officers must be installed by July 15th.

**SECTION 4:** A Commander, at least two (2) and not more than three (3) Vice Commanders, Adjutant, Finance Officer, Provost Marshal, Judge Advocate, Service Officer, SEC Delegate, SEC Alternate and any other elected officers prescribed in Post Constitution and Bylaws shall be elected annually by members of the Post at the annual meeting.

**SECTION 5:** Whenever Post Club Rooms and/or Canteens are maintained and operated for the convenience and pleasure of the Members and the name of AMVETS or the Insignia are displayed or used, a Board of Directors shall be elected to supervise the activities, operation, and finances of the Post Club Home Association. The Post Club Home Association Board of Directors shall consist of a President, Vice President(s), Secretary and/or Treasurer, and a minimum of three Trustees. The Board of Directors for the Home Association shall be elected at an annual stated meeting by the voting body of the Home Association who are regular AMVETS members, in good standing, of the Post.

(a) In accordance with the Commonwealth of Pennsylvania statutes that administer to the operation of class “C” and class “CC” liquor license, the Post Club Room/Canteen shall be considered a separate entity of the local home AMVETS Post.

(b) The Post Club Room/Canteen shall be considered a separate subordinate organization of the home AMVETS Post. When the local Post Home Association allows “social memberships” in accordance with Commonwealth of Pennsylvania Laws, the “social member” shall not hold any office, elected or appointed, in said organization. They shall have no vote in any matter or matters concerning Post Club/Canteen business.

(c) When a local AMVETS Post operates a Post Home “Association”, the Post Club/Canteen Home Association shall have a Constitution and Bylaws that are separate from the AMVETS Post with which they are affiliated. These Constitution and Bylaws must be in accordance with the Laws of the Commonwealth of Pennsylvania, the National AMVETS, and AMVETS Department of Pennsylvania. A review of these Constitution and Bylaws must be completed yearly by a select committee of the Post Home Association. A copy will be kept on file at AMVETS Department of Pennsylvania Headquarters.

(d) The Post Home “Association” shall recognize members of AMVETS subordinate Organizations. They must be members in good standing of their respective organization, and be in compliance with the Laws of the Commonwealth of Pennsylvania that govern the legal age to consume “adult” liquor beverages. They shall have no vote in the operation or daily business of the Post Home “Association”.

**SECTION 6:** Every post shall be required to revalidate its charter annually, not later than June 7th of each year. Such charter revalidation shall be evidenced by an appropriate device to be issued by National Headquarters. In order to revalidate such charter, and to receive a Certificate of Revalidation of its charter, each post, aside from any other requirements imposed in the Constitution and Bylaws, shall:

(a) Furnish National through Department Headquarters with a certified list of current Post Officers;

(b) File Internal Revenue Form 990 for the post calendar or fiscal year with the Internal Revenue Service if required by current IRS regulations, and furnish a copy to National Headquarters through Department Headquarters (if a Form 990 is not required to be filed, a letter certifying that fact must be sent to National Headquarters and Department Headquarters);

(c) Furnish National Headquarters through Department Headquarters with a copy of the post's current Constitution and Bylaws or a certification stating that the copy previously submitted has not been amended;

(d) Be fully paid up in all post accounts with National Headquarters and Department Headquarters;

(e) Comply with the following insurance requirements:

Any post operating a clubroom shall be required to carry statutory workers' compensation when required by Pennsylvania law and Commercial General Liability insurance, to include public liability with bodily injury and property damage liabilities, product liability, personal injury liability and liquor liability, with minimum combined single limits of at least \$300,000. In the case of split limits, the minimum required shall be \$300,000/\$300,000. Posts that maintain a building primarily for meeting purposes shall be required to carry this same coverage, with the exception of liquor liability, with minimum combined single limits of \$100,000, or split limits of no less than \$100,000/\$100,000. The AMVETS Department of Pennsylvania and the national department shall be included as additional insured on these policies, except workers' compensation, and a certificate of said insurance shall be furnished to the state department and to National Headquarters.

(f) Have at least 10 members in good standing at the time of revalidation; and

(g) Provide National Headquarters through the Department Headquarters a copy of the chartered post Articles of Incorporation if required by AMVETS National Bylaws Article VII, Section 3(d) and, if required by state law, certificates of good standing.

(h) Have submitted to the AMVETS Department proof of a programs reporting form. The preferred reporting method is the online programs reporting system. If this system is not available to the post a written copy may be submitted the Department 2<sup>nd</sup> Vice Commander. The post must transmit at least one (1) report during the fiscal year of said validation.

**SECTION 7:** AMVETS membership processing, including submission of new and renewal memberships with accompanying department and national portions of dues, review and update of member information, and on-demand download of current post rosters is to be accomplished online at the post level, by duly authorized officers accessing the AMVETS netFORUM membership system.

(a) Membership processing may be done at the member level in the case of member information updates and any renewals or new members-at-large (MAL) with the post (as applicable), department, and national portions of dues paid online.

(b) Whenever a post is unable to take advantage of the ease, speed and accuracy of online processing, the back-up system mandated for all posts under the command of the Department of Pennsylvania shall be the manual processing with bar-code labels on D&R forms, mailed with department and national portions of dues payment to the department headquarters for entry into the online AMVETS netFORUM membership system.

(c) If the department headquarters is also unable to submit online, they too will revert to the manual processes of bar-code labels on D&R forms submitted with payment through the mail to national headquarters for entry into the online system.

## **Article XII: State Conventions**

**SECTION 1:** A state convention shall be held annually and the time and place fixed for the convention shall be determined at least two years in advance. The AMVETS Convention Corporation should not reserve an annual convention that would conflict with any major holiday.

(a) The Convention Corporation will have the responsibility of presenting contracts for the Annual Convention two (2) years from the current year convention. This contract shall be offered to the Convention Body for their approval.

(b) The annual convention shall be in accordance with the National Constitution and for the purpose of deliberating upon legislative matters and matters of policy, including any changes to these by-laws and for the election of a Delegate and Alternate Delegate to the National Convention, Judge Advocate, Provost Marshal, Finance Officer, 2nd Vice Commander, 1st Vice

Commander and Commander. The three Regional Commanders shall be elected by the Posts in their respective regions at meetings called for this purpose at the Convention.

(c) The annual Convention held in the odd numbered years shall also elect the National Executive Committeeman and Alternate National Executive Committeeman for the term prescribed in the National Constitution.

**SECTION 2:** The members of the annual convention shall be made up of Post delegates elected by the members of the Post. Each Post in good standing shall be entitled to one (1) delegate per ten (10) members, or portion thereof, up to and including the number of 100 members. Thereafter, the Post shall be entitled to one (1) delegate per each twenty-five (25) members. The Post membership shall be computed as of the records in the Department Headquarters sixty (60) days prior to the convention. The membership of any Post organized and chartered within ninety (90) days prior to the convention shall be computed as of the records in the Department Headquarters fourteen (14) days prior to the convention.

(a) State Officers should be elected by their Posts as delegates to the State Convention with the same rights and privileges of any other delegate.

(b) All Past Department Commanders present at any Convention shall be entitled to one (1) vote each, if not voting with Post Delegation.

(c) The Adjutant of each Post shall submit to the State Department the names of all delegates at least two (2) weeks prior to the date of the Convention in order that eligibility may be certified by the State Department; substitution of delegates may be effected until the close of registration at the Convention by approval of the State Department by a letter of certification executed by the Post Commander or Post Adjutant.

(d) No delegate of a Post or a Post shall be recognized as a member in good standing of the Department of Pennsylvania when said member or a Post is in arrears of any moneys due to the Department of Pennsylvania; and no Post shall be identified as a member in good standing when in violation of the Universal Department Constitution or these Department of Pennsylvania's By-Laws.

**SECTION 3:** Each delegate who has registered at the convention and been accepted by the Credentials Committee shall be entitled to one (1) vote. An alternate shall become a delegate and be accredited as such when a delegate of the Post has left the convention floor. An alternate shall have voice and vote only when accredited as a delegate. On a roll call vote each Post shall be entitled to the number of votes to which it is entitled under this constitution up to the number of

accredited delegates of that Post who have been registered at the convention and who are present on the floor at the time of the vote.

**SECTION 4:** A Post representative to the Executive Committee shall be chosen at a regular Post meeting and by such election shall become one of the delegates to the State Convention, and shall head its list of delegates.

**SECTION 5:** A delegate or delegates from the majority of Posts which have delegates registered at the convention shall constitute a quorum

**SECTION 6:** No place shall be designated as a meeting point for a convention or Executive Committee meeting which would prevent the attendance and accommodations of any of its members because of race, creed or color.

**SECTION 7:** The Convention Chairman shall be responsible for the establishment of a work schedule for each of the Convention Corporation Trustees to man the credentials desk and the per diem allowance for this service be paid only when such service has been completed. The per diem allowance for the trustees shall be decided by the convention corporation *at its last meeting before State Convention annually.*

**SECTION 8:** The Department Commander and Executive Director shall be responsible for assigning convention duties to Department Officers and ensuring that per diem allowance is paid only when such service has been completed.

**SECTION 9:** Voting on odd years shall begin with Past Department Commanders followed by Post Number One (1) through to the conclusion of the number of Posts entitled to vote. On even years it shall be reversed of above procedure, beginning with the Post with the highest number.

## **Article XIII: State Executive Committee**

**SECTION 1:** The Executive Committee shall be composed of all State Officers, elected and appointed herein before mentioned and a representative from each Post in good standing with the State Department. Each of these persons shall be entitled to one (1) vote at any Executive Committee meeting. In addition to these votes, all Past Department Commanders present, shall be entitled to one (1) vote each. Whenever possible the time and place of the next regular meeting of the State Executive Committee shall be set at the previous meeting and announced to the Executive Committee at that meeting. Further written notice shall be given to the State Executive Committee members at least seven (7) days prior to said meeting of the time and place thereof.

(a). The representative from any post in good standing with the Department of Pennsylvania AMVETS shall be the duly elected and/or appointed State Executive Committee Delegate. When the State Executive Committee Delegate from the Post is absent, the Alternate shall be seated as the envoy from that Post with all privileges. In the event that the Post Delegate and/or Alternate are not present, a letter of intent must be delivered to the Department Commander, signed by the Post Commander, as to who will be seated at the State Executive Committee to represent said Post.

**SECTION 2:** A quorum at any State Executive Committee meeting shall be ten (10) posts of such Committee. Regular meetings of the State Executive Committee shall be *held the four (4) times a year,*

(a) At the State Executive Committee Meetings, the Commander shall *try to* reserve times for the training of members and officers on their assigned duties and the conduct of post business. *This is to be done when meeting time, space and trainers are available.*

(b) A post-convention State Executive Committee Meeting shall be held immediately upon adjournment of the Department Convention for the primary purposes of electing trustees to the finance committee, service foundation, convention corporation, members to the constitution and bylaws committee, and for approving the Commander's appointments.

## **Article XIV: Department Finances**

**SECTION 1:** All finances of the Pennsylvania State Department of the AMVETS shall be under the control of the Finance Officer, who shall make an annual report at the State Convention. Revenue may be derived from annual dues and other sources approved by the Executive Committee. Regulations of the amount of annual dues shall be made by a majority vote of the delegates in annual convention assembled.

**SECTION 2:** An annual budget shall be prepared by the finance committee prior to the Department Convention each year. The Committee will also formulate any and all subordinate budgets that affect the business of the Department. These budgets will be approved at the Annual Convention by a majority vote. The Executive Director shall provide each Finance Committee Member a copy of all income and disbursements of the previous fiscal year for the Committee's study.

(a) The fiscal year shall be from 1 July through 30 June each year.

**SECTION 3:** Online dues payments may be made from one of three levels. The first level is member for post renewals and for MAL new or renewal memberships. Members paying online pay the post, department and national shares in one online transaction. The national headquarters typically receives payment the following working day and distributes department and post shares to the department on a weekly basis. The department is responsible for timely forwarding of the posts shares to the individual posts.

(a) In the absence of internet access, each local Post shall remit to the State Department for each annual member of the Post, the National dues plus a sum set by the Department Convention. All dues must be sent in by the Post to the Department Headquarters within sixty (60) days after such dues are paid by the member. No dues are to be manually sent to National Headquarters, except through the department headquarters.

**SECTION 4:** No Post or individual member of the Department of Pennsylvania shall receive, handle, purchase or disperse membership cards from any source other than through or from the State Department Headquarters, with the occasional exception of new members-at-large when they join directly with the National Headquarters and receive their cards directly from the National Headquarters, with the occasional exception of new members-at-large when they join directly with the national headquarters and receive their cards directly from the national headquarters.

**SECTION 5:** The Finance Officer will oversee all payroll deductions and taxes on behalf of AMVETS Department of Pennsylvania. This shall be done in a time set by the IRS, State, and local governments. Payroll will be generated every two (2) weeks. Both services can be performed by an independent agency, Finance Officer, or Finance Committee. The Finance Officer will furnish the Finance Committee and Service Foundation with payroll and tax information at the annual budget meeting. At no time will any employee perform payroll taxes on behalf of the Department of Pennsylvania.

**SECTION 6:** A qualified accounting firm shall be engaged by the State Department to Audit the State Department books and accounts at the end of each fiscal year and said firm be empowered to submit the necessary forms to the Internal Revenue Service and the National Department with copies to the State Finance Officer upon the filing of such forms.

**SECTION 7:** All funds belonging to the Pennsylvania Department of AMVETS shall be deposited in bank checking accounts, savings accounts, Certificates of Deposit, and other investments and must be protected from loss by the Federal Deposit Insurance Corporation or other government controlled guaranty companies. This includes funds raised by Department

Headquarters, Service Foundations, Convention Corporations, or any future subsidiaries established by the State Executive Committee.

(a) The Finance Officer with approval of the Finance Committee Members may make investments of Department Funds between State Executive Committee Meetings. A telephone vote/poll of the Finance Committee Members must be conducted by the Finance Officer or the Vice Chairman of the Finance Committee or the Executive Director, if so directed by the Finance Officer. Amount of each investment is not to exceed thirty thousand dollars (\$30,000.00) and can be invested for a maximum period of up to seven (7) months.

**SECTION 8:** All Fund Raisers conducted in the name of the AMVETS Department of Pennsylvania shall be audited; this is to include all fund raisers conducted by the 2nd Vice Commander. The records will be audited at the next State Executive Committee Meeting following the end of the fund Raiser by the Department Commander, Department Judge Advocate, Department Finance Officer and the Department Executive Director. The Finance Officer will submit a report to the State Executive Committee and that report will be placed on file at Department Headquarters.

(a) An audit of the Department Commander's Hospitality Room held at the State Executive Committee Meetings and of the Department's Hospitality Room held at the National Convention will be conducted at the *next* State Executive Meeting *following the post convention State Executive Meeting*. These audits will be overseen by the Department Commander, Department Judge Advocate, Department Finance Office and the Department Executive Director.

**SECTION 9:** All records of the Department Quartermaster shall be audited at the end of each fiscal year. The audit will be conducted at the *next* State Executive Committee Meeting following *the post convention State Executive Meeting* by the Department Commander, Department Judge Advocate, Department Finance Officer and the Department Executive Director. The Finance Officer will submit a report to the State Executive Committee and that report will be placed on file at Department Headquarters.

(a) Any member or post under the command of the AMVETS Department, who is in financial arrears to the quartermaster of the Department for more than thirty (30) days of any delivered item, shall be considered a member or post not in good standing with the AMVETS Department, and will forfeit any and all privileges due. All items that have been directed to a post, as a whole, the commander of said post shall be held responsible for said purchases.

**SECTION 10:** All Department and Post officials handling money shall be properly bonded with a good and solvent bonding and surety company as acceptable to the United States Treasury, and

surety to cover double the average amount of money handled in a single year. In case of delinquencies in the payment of the amounts due the Department or National Headquarters, action shall be taken at once by the proper officials to bring about an immediate and complete settlement. The bonds provided by Department and Post Officials shall be approved by the Department Judge Advocate and the Department Executive Committee.

**SECTION 11:** The Department Headquarters shall, should it be deemed advisable, detail special auditors to investigate the membership roll and financial statement of any Post in the Department.

**SECTION 12:** Any officer may receive compensation for his expenses in connection with his activities on behalf of the Department *with proper voucher and or documentation*. The limits of the amounts of such compensation shall be fixed by the annual budget approved by the majority vote of the Convention Body.

**SECTION 13:** Committee members may be reimbursed by the Executive Director, under the direction of the Department Commander, for expenses incurred while in the performance of duties with said Committee. All vouchers submitted for request for payment to the Department of Pennsylvania must be submitted not later than ten (10) days of the conclusion of each State Executive Committee Meeting.

(a) A Department Officer or a Committee Person may be compensated as per budgeted finances of the Department of Pennsylvania's Annual Budget. Reimbursement shall not exceed the allowance and guidelines set by the National Organization.

## **Article XV: Subordinate Organizations**

**SECTION 1: Ladies Auxiliary.** AMVETS recognizes a subordinate organization known as the AMVETS Ladies Auxiliary Department of Pennsylvania

(a) Eligibility for membership in the AMVETS Ladies Auxiliary shall be limited to the mothers, wives and grandmothers, regardless of age, and to the daughters, stepdaughters, sisters and granddaughters, not less than 18 years of age, of regular members of AMVETS; and to the mothers and widows, regardless of age, and to the daughters, stepdaughters, sisters and granddaughters, not less than 18 years of age, of deceased veterans who would have been eligible for membership in AMVETS, and female veterans who served honorably in the Armed Forces of the United States after Sept. 15, 1940, or as an American citizen in the Armed Forces of Allied countries after Sept.15, 1940, and before May 8, 1975, who maintain their AMVET membership unless they meet the established eligibility criteria. The term mother shall be

construed to include any female member of the family, or any female guardian of such person or deceased veteran, who has exercised or is exercising the care and responsibility for the rearing of such person or deceased veteran

**(b)** AMVETS Ladies Auxiliary Department of Pennsylvania shall be governed by their respective Constitution and Bylaws, approved by the AMVETS Department Judge Advocate, and shall not be in conflict with the AMVETS National or Department Constitution and Bylaws.

**(c)** The Auxiliary shall be governed in the Department by such rules and regulations as may be prescribed by their Department and approved by their State Executive Committee.

**(d)** Every Auxiliary shall be affiliated with an AMVET Post, and shall carry the corresponding number and name of the Post.

**(e)** No Auxiliary shall be formed when no Post exists.

*(f) SACKETTES: AMVETS recognizes a Subordinate organization known as SACKETTES, a fun and honor organization of the LADIES AUXILIARY.*

*(g) SACKETTES: They shall be governed by their own CONSTITUTION and BY-LAWS, approved by the DEPARTMENT of AMVETS JUDGE ADVOCATE, LADIES AUXILIARY PARLIMENTARIAN, and the LADIES AUXILIARY Convention body.*

**SECTION 2: Sad Sacks.** AMVETS recognizes a subordinate organization known as AMVETS Department of Pennsylvania Sad Sacks.

**(a)** Membership in Sad Sacks shall be limited to members in good standing of AMVETS.

**(b)** Sad Sacks shall be governed by a Constitution and By-Laws approved by the AMVETS Department Judge Advocate and not inconsistent with AMVETS National and State Constitution and By-Laws.

**SECTION 3: Convention Corporation.** AMVETS recognizes a subordinate organization known as AMVETS Department of Pennsylvania Convention Corporation.

**(a)** The members of the AMVETS Department of Pennsylvania Convention Corporation shall be the Department Commander, the Immediate Past Department Commander Finance Officer, and the Judge Advocate of AMVETS, all of whom shall serve for the duration, and three members elected for a term of three years; one to be elected annually at the first regular meeting of the State Executive Committee following the State Convention. The Department Executive Director

shall act as secretary. All members of the Department of Pennsylvania AMVETS Convention Corporation shall be members in good standing of the Department of Pennsylvania.

(b) Immediately following the post-convention State Executive Committee meeting, the members of the full committee shall elect a President, commonly referred to as AMVETS Convention Chairman.

(c) The President and Convention Chairlady of the AMVETS Ladies Auxiliary and the Commander and Convention Chairman of Sons of AMVETS, shall be ex-officio members of the Board of Trustees, with the right to be present at all meetings, with the privilege of voice, but without voting privilege. Further, a delegation from the local host post or host region for that convention year will be ex-officio members with the right to be present at all meetings while being host, with the privilege of voice but without voting privilege.

*(d) AMVETS CONVENTION CORPORATION shall be governed by their respective CONSTITUTION and BY-LAWS, approved by the AMVETS DEPARTMENT JUDGE ADVOCATE, and shall not be in conflict with the DEPARTMENT or NATIONAL CONSTITUTION and BY-LAWS.*

**SECTION 4: Service Foundation.** AMVETS recognizes a subordinate organization known as AMVETS Department of Pennsylvania Service Foundation.

(a) The members of AMVETS Department of Pennsylvania Service Foundation shall be the Department Commander, the immediate Past Department Commander, the Department Finance Officer, the Judge Advocate, the Department VAVS Rep., all of whom shall serve for the duration of their term and four members elected for terms of two (2) years; two (2) elected annually at the post-convention State Executive Committee meeting. The State Executive Director shall act as secretary and shall be an ex-officio member with voice but no vote.

(b) The members of the full committee shall elect a Chairman of the Service Foundation immediately upon adjournment of the post-convention State Executive Committee meeting.

(c) The Department Commander with the approval of the State Executive Committee shall fill any vacancies in the Service Foundation by appointment of an AMVET in good standing.

(d) The AMVETS Department of Pennsylvania Service Foundation shall have in it's entirety all of the obligations that occur in the daily management and operation(s) of the structure and location known as AMVETS Department of Pennsylvania Headquarters and any permanent space where the Department conducts it's daily business for the good of AMVETS.

*(e) AMVETS SERVICE FOUNDATION shall be governed by their respective CONSTITUTION and BY-LAWS, approved by the AMVETS DEPARTMENT JUDGE ADVOCATE, and shall not be in conflict the DEPARTMENT or NATIONAL CONSTITUTION and BY-LAWS.*

**SECTION 5: Junior AMVETS.** AMVETS recognizes a subordinate organization known as Junior AMVETS.

(a) Eligibility for membership in the Junior AMVETS shall be limited to sons and daughters, stepchildren, brothers and sisters, and grandchildren of AMVETS, deceased members of AMVETS, members of the Auxiliary, and members of the Sons of AMVETS, and a service member who died and would have been eligible for AMVETS membership, including all children that they may be legal guardian of from the age of 5 to and including 17 years.

(b) Junior Amvets shall be governed by a Constitution and Bylaws approved by the AMVETS Department Judge Advocate and not inconsistent with AMVETS National and State Constitution and Bylaws.

**SECTION 6: Sons of AMVETS.** AMVETS recognizes a subordinate organization known as Sons of AMVETS Department of Pennsylvania.

(a) Eligibility for membership in the Sons of AMVETS shall be limited to all male descendents, grandsons, stepsons, fathers, husbands, widowers and brothers of members of AMVETS, not less than 18 years of age, or of deceased veterans who would have been eligible for membership in AMVETS, and not eligible for membership in the parent organization. In-laws are excluded from membership in the Sons of AMVETS.

(b) Sons of AMVETS Department of Pennsylvania shall be governed by their respective Constitution and Bylaws, approved by the AMVETS Department Judge Advocate, and shall not be in conflict with the AMVETS National or Department Constitution and Bylaws.

(c) The Sons of AMVETS shall be governed in their Department by such rules and regulations as may be prescribed by their Department and approved by their State Executive Committee.

(d) Every Sons of AMVETS squadron shall be affiliated with an AMVET post and shall carry the corresponding number and name of the post.

(e) No Sons of AMVETS squadron shall be formed when no post exists.

**SECTION 7: AMVETS Riders.** AMVETS recognizes a subordinate organization known as AMVETS Riders.

(a) Eligibility for membership in the AMVETS Riders shall be limited to members in good standing of AMVETS, AMVETS Ladies Auxiliary and Sons of AMVETS.

(b) AMVETS Riders shall be governed by their respective Constitution and Bylaws, approved by the AMVETS Department Judge Advocate, and shall not be in conflict with the AMVETS National or Department Constitution and Bylaws.

## **Article XVI: Restricted Use of Organization**

**SECTION 1:** No member's obligations to or prestige of an officer of the AMVETS shall be used for the benefit of, or promotion of any private enterprise for profit. Nor shall any private enterprise for profits be endorsed by the Department.

**SECTION 2:** The Department or any component part thereof shall not be used to promote the interest of any individual who is a candidate for office, or to promote otherwise any individual organization political party, faction, or product. But, the foregoing shall not be construed to prevent this organization, or any component part thereof from advancing in any way the interest of Veterans or the interest of any specific legislation previously approved by the State Convention.

**SECTION 3:** Whereas the privacy of its members must be kept inviolate, no officer, employee or member of this Department are authorized to give to any business or organization the names and addresses of its members unless approved by State Executive Committee, this includes Post Directory.

## **Article XVII: Vacancies of Office**

**SECTION 1:** In the event of the vacancy in the Office of Commander for any reason whatsoever, the First Vice Commander shall assume his duties. The Second Vice Commander shall advance to First Vice Commander.

**SECTION 2:** In the event of a vacancy in any annually elected or appointed State Office other than Commander, the Commander shall fill the vacancy by appointment subject to the approval of the Executive Committee and said appointee to serve out the unexpired term.

**SECTION 3:** In the event of a vacancy in the office of National Executive Committeeman, the Alternate National Executive Committeeman shall serve for the remainder of the elected term.

**(a)** Any vacancy in the Alternate National Executive Committeeman office shall be filled by appointment by the Department Commander with the approval of the State Executive Committee at its next meeting and he shall serve for the remainder of the elected term.

**(b)** In the event of a vacancy in the office of National Executive Committeeman and Alternate National Executive Committeeman at the same time, the Department Commander shall fill both

vacancies by appointment with the approval of the State Executive Committee and they shall serve until the Convention in the calendar odd numbered year.

## **Article XVIII: Charters**

**SECTION 1:** The State Executive Committee may suspend or revoke any County or District Council or Post Charter. The action taken by a State Executive Committee shall be final and conclusive, unless an appeal is taken to the National Executive Committee within thirty (30) days from the date of said suspension or revocation. The action taken by the National Executive Committee upon appeal shall be final.

**SECTION 2:** Any Post failing to meet obligations imposed upon it by the State Constitution and By-Laws, ceasing to function for six (6) months as a Post of the Department, or voluntarily ceasing to function as a Post of the Department, or merging with one or more Posts or refusing to, or failing to pay the Department or National per capita dues, or under other conditions as might make such action necessary, shall upon order of the State Executive Committee, surrender its charter. Upon failure to surrender such charter, immediate steps may be taken for its revocation, cancellation according to Department and National Bylaws.

**SECTION 3:** Upon revocation, cancellations or suspension of the charter of any component part of the Department, such unit shall immediately cease operations, and upon revocation or cancellation, shall turn over its charter to the Department Commander or State Executive Committee. The State Executive Committee is authorized, empowered and directed by and through its duly authorized agent to take possession, custody, control of all records, property, and assets of said unit provided, however, that nothing herein shall be construed as requiring any Department to take over or assume any financial responsibility as to such property.

(a) Once a post with a liquor license has had its Charter revoked, canceled, or suspended by the Department of Pennsylvania or the National Organization of AMVETS, The Department of Pennsylvania's Judge Advocate and or the Department Executive Director shall inform the Commonwealth of Pennsylvania Liquor Control Board as to the reasons of said action.

## **Article XIX: Discipline**

**SECTION 1:** Each Post in the Department shall be the judge of its membership, subject to the restrictions of the Constitution and By-Laws of the State and National Organizations.

**SECTION 2:** A member may be suspended or expelled from any Post in the Department upon proper showing of cause. Charges shall be based on disloyalty, neglect of duty, dishonesty and conduct unbecoming a member of AMVETS.

**SECTION 3:** In accordance with Appendix B to the National Constitution and Bylaws, any member whose membership is suspended or forfeited may appeal to the next highest level applicable from that which heard the charges and specifications, i.e., from Post to State Executive Committee or from State Executive Committee to National Executive Committee, and the decision of the appellate body at either level shall be binding and final.

**SECTION 4:** Nothing contained in this article shall be construed to limit in anyway the powers conferred by the Uniform Code of Procedure for the suspension or expulsion of a member.

## **Article XX: Rules of Order**

All meetings of the Department shall be conducted under the Department and National Bylaws, and when they do not cover a situation, then under the most recent edition of Robert's Rules of Order.

## **Article XXI: Amendments**

These By-Laws may be amended at a State Convention by a majority vote of the delegates present provided that the proposed amendments shall have been submitted to the Resolutions Chairman through the Department Headquarters at least sixty (60) days prior to the convening of the Annual Convention. These bylaws however may be amended by the annual convention without notice by a 2/3 vote. No amendment, however, may be adopted unless referred by the Resolutions committee to the constitution and bylaws committee, considered by it and reported on at the annual convention.