

AMVETS Post 5 Constitution

PREAMBLE

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.

ARTICLE I. NAME

The name of this organization shall be American Veterans (AMVETS) Post 5 it will exist as a hybrid post both virtually, and at a physical location in the state of Ohio defined in the Post By-Laws, and it shall be here in after referred to as the Post.

ARTICLE II. AIMS

The aims and purposes of this post are as follows:

- a. 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.
- b. To encourage, in keeping the policies of our government, the establishment of a concrete plan to secure permanent international peace and to assist in the maintenance of international peace.
- c. To inspire in our membership a sense of responsibility and to develop leadership for the reservation of our American democratic way of life.
- d. To help unify divergent groups in the overall interest of American democracy.
- e. To train our youth to become purposeful citizens in a democracy with full knowledge of the responsibilities as well as the privileges of citizenship.
- f. To cooperate with all duly recognized existing veterans' organizations in the furtherance of the aims of the American veterans who have served or are serving in the Armed Forces of the United States during and since World War II.
- g. To ensure the orderly return of the veterans to civilian life by protecting their rights as individuals while still in uniform.

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- h. To expedite and assist in the rehabilitation of the veteran by maintenance of employment services, sponsoring educational opportunities, providing counsel of insurance, housing, recreation, personal problems, hospitalization, and veterans' benefits.
- i. To act as a liaison agent between the veteran and the Government.
- j. 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.
- k. To keep the public forever reminded that 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 of their Nation.

ARTICLE III. MEMBERSHIP

Membership to the post is open for any persons who qualifies under of the following conditions.

- a. Any person who served or is currently serving in the Armed Forces of the United States of America at any time after September 15, 1940, is eligible for regular membership in AMVETS provided such service, when terminated by discharge, or release from active duty, be by honorable discharge, honorable separation, or general discharge under honorable conditions.
- b. 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 September 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.
- c. 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.
- d. All United States reservists and national guardsmen who are now serving, or have been honorably discharged since September 15, 1940, are eligible for regular membership in AMVETS provided such service—when terminated by discharge or release—is by honorable discharge or separation.
- e. Honorary membership shall not be granted.

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- f. No person shall be a member of more than one post at any one time.
- g. No person expelled from one post shall be eligible for membership in any other post without the consent of the expelling post, or consent of the State Executive Committee (SEC) after hearing an appeal.
- h. This Post shall be the judge of its own membership, subject to the provisions of the Constitution and Bylaws of the national and department organizations.
- i. Membership year shall run from September 1 through August 31.
- j. Eligibility for membership and the rights and privileges of members shall be as provided in the Constitution and Bylaws, and the terms of membership and requirements for holding office within AMVETS shall not be discriminatory based on race, color, religion, sex, or national origin.

ARTICLE IV. POST ORGANIZATION

This Post shall be governed by the officers chosen in accordance with this Constitution and Bylaws and will annually revalidate its charter prior to July 15. Such revalidation shall be evidenced by the issuance of a Revalidation Certificate issued by the National Department upon satisfactory completion of all requirements. Aside from any other requirements imposed by the Department or National Constitution and Bylaws, this Post shall:

- a. Furnish national and its Department Headquarters with a certified list of current Post officers not later than July 15.
- b. Provide a written statement to the national organization that the post has/has not filed an IRS Form 990 with the Internal Revenue Service for the fiscal year.
- c. Furnish National Headquarters with a copy of the Post's current Constitution and Bylaws or certify on the Change of Officers Form that the copy on file has not been altered, changed, or amended.
- d. Be fully paid up in all accounts with National Headquarters.
- e. Comply with applicable liability insurance and bonding mandates; and
- f. Always have a minimum of ten (10) members in good standing.

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- g. Within 30 days of notice to surrender its charter resulting from disciplinary or voluntary action, the Post will close all bank accounts and deliver to the State Department or National organization all Post records, property, and assets.

ARTICLE V. OFFICERS

Elected officers of this post shall consist of a Commander not more than three Vice Commanders, Adjutant, Finance Officer, Provost Marshal and Judge Advocate and any other officers prescribed by the By-Laws.

ARTICLE VI. EXECUTIVE COMMITTEE

The elected and appointed officers of the Post, and the immediate past post commander shall constitute the Executive Committee which will be charged with the administrative affairs and property of the Post.

- a. The Executive Committee of the post shall formulate the policy of the organization for approval by the members.

ARTICLE VII. BOARD OF TRUSTEES

At the time when a post clubroom is maintained and operated for the convenience and pleasure of its members, and the name of AMVETS or its insignia are displayed or used, a board of trustees shall be elected by and from among the members of the post to supervise its activities, operations, and finances of the clubroom.

- a. The post board of trustees will consist of three elected trustees, the post commander, the immediate past post commander, the Finance Officer, the Adjutant, the Judge Advocate.

ARTICLE VIII. SUBORDINATE ORGANIZATIONS

A subordinate organization of this post may be established only by a provision of the post's constitution, and in keeping with the National and Department Constitution and Bylaws.

- a. All subordinate organizations' membership qualifications must be consistent with the aims and purposes of AMVETS.
- b. All AMVETS subordinate organizations shall follow the same membership year and pay membership dues in concert with the parent organization.

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- c. All subordinate organizations shall be under the jurisdiction of the AMVETS Post whose name it bears and shall carry the corresponding number of the Post.
- d. A two-thirds (2/3) vote of the AMVET members present at a stated meeting is required to approve and form a subordinate organization.
- e. AMVETS Post members must be given written notice of such meeting a minimum of 15 days prior to the proposed formation.
- f. Where no Post exists, a subordinate organization shall not be formed, nor continue to operate as an independent entity. The subordinate's charter must be surrendered along with any property it may possess to the duly recognized subordinate officer in accordance with the Constitution of the national subordinate organization.
- g. No fund-raising activities can be sponsored by any subordinate organization without the recommendation of the AMVETS Post Executive Committee and the prior approval of the AMVETS Department and National organizations in compliance with National Bylaws Article VII, Section 3 (a).

ARTICLE IX. LADIES AUXILIARY

The post recognizes a subordinate organization known as the AMVETS Ladies Auxiliary.

- a. Membership eligibility in the AMVETS Ladies Auxiliary is limited to the mothers, wives, and grandmothers, regardless of age, and to the daughters, sisters, and granddaughters not less than 18 years of age of regular members of AMVETS, and to
- b. Mothers and widows, regardless of age, and daughters, sisters, and granddaughters not less than 18 years of age of deceased veterans who would have been eligible for membership in AMVETS.
- c. Female veterans who served honorably in the Armed Forces of the United States after September 15, 1940, and 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 criteria.
- d. Any Auxiliary member who qualifies and joins as a member under the criteria in Article IX a, b or c of this constitution shall be allowed to remain an Auxiliary member so long as she remains a member in good standing.

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ARTICLE X. SONS OF AMVETS

The post recognizes a subordinate organization known as Sons of AMVETS.

- a. Membership is limited to all male descendants, grandsons, adopted sons, stepsons, fathers, husbands, widowers, and brothers of members of AMVETS, deceased members of AMVETS, or service personnel who died and would have been eligible for membership in AMVETS.
- b. The Applicant for the Sons of AMVETS must be at least 18 years of age and cannot be a member of nor be eligible for membership in the parent organization of AMVETS.

ARTICLE XI. JUNIOR AMVETS

The post recognizes a subordinate organization known as Junior AMVETS.

- a. Membership is limited to children from the age of 5, to and including 17 years, sons, and daughters, brothers and sisters, and grandchildren of AMVETS, deceased servicemen who would have been eligible for AMVETS membership, including all children for whom they are legal guardians.

ARTICLE XII. SAD SACKS

The post recognizes a subordinate organization known as Sad Sacks.

- a. Membership in Sad Sacks shall be limited to members in good standing of AMVETS, Auxiliary and Sons.

ARTICLE XIII. AMVETS RIDERS

The post recognizes a subordinate organization known as AMVETS Riders.

- a. Eligibility for membership is AMVETS Riders shall be limited to members in good standing of AMVETS, Auxiliary, Sons, and Juniors.

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ARTICLE XIV. AMENDMENTS

This Constitution may be amended by resolution at any Post meeting. Proposed amendments shall be submitted in writing to the Executive Committee for its review and presentation at the next meeting. Copies of proposed amendments shall be distributed by mail or email to all Post members at least ten (10) days prior to the date of the vote. A two-thirds (2/3) vote of the members present shall be required to amend this Constitution. Copies of all adopted amendments shall be forwarded to the Department for review by the department judge advocate within thirty (30) days after their adoption. The department judge advocate will forward the approved copies to the National Headquarters for placement in the permanent Post file.