

# Way-Whitehouse Memorial

AMVETS

American Veterans

Post 35, Inc.

105 John King Road

Crestview, Florida 32539-8307

(850) 682-8435

## 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 the Way-Whitehouse Memorial AMVETS (American Veterans) Post 35, Inc., in the City of Crestview, Okaloosa County, Florida, and it shall be hereinafter referred to as the Post.

### Article II: Aims

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. Membership

Section 1. Any person who served, or is currently serving in the Armed Forces at anytime after September 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.

Section 2. Any American citizen, as an American citizen, who served in the Armed Forces of an allied nation of the United States at anytime 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 separation.

Section 3. 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.

Section 4. All United States Reservist and National Guardsmen who are 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 from active duty is by honorable discharge or honorable separation.

Section 5. Honorary membership shall not be granted.

Section 6. This Post shall be the judge of its own membership, subject to the provisions of the Constitution and By-Laws of the National and Department organizations.

Section 7. Membership shall be on a calendar year basis and shall run from January 1 through December 31.

Section 8. Applications for membership shall be made on a form provided by the National Headquarters or this Post, and shall be submitted for processing and action by the Membership Processor after proof of eligibility, i.e., retired ID card, DD Form 214, Active Duty ID or other acceptable proof of honorable service, is shown.

Section 9. Eligibility for membership and the rights and privileges of members shall be as provided in the Constitution and By-Laws and the terms of membership and requirement for holding office within AMVETS shall not be discriminatory on the bases of race, color, religion, sex, or national origin.

Section 10. No person expelled from one Post shall be eligible form membership in any other Post without the consent of the expelling Post, or consent of the State Executive Committee (SEC) after hearing an appeal.

#### Article IV: Officers

Section 1. Elected Officers of this Post shall consist of a Commander, Vice Commander for Membership, Vice Commander for Programs, Chairperson of the Board of Trustees, Finance Officer, Provost Marshal, and Judge Advocate. Also, each year, there will an election of at least two (2) members of the Board of Trustees as prescribed by the National By-Laws.

Section 2. The Commander shall represent this Post at all District, State, and National Meetings, if this Post can financially afford for the Commander to be there. If the Commander cannot be there at these meetings he shall appoint a representative, to replace him if he cannot attend.

Section 3. Nomination and election of officers shall be held annually at the date fixed by the By-Laws. Nominations shall be made from the floor at a General or Annual Meeting.

#### Article V: Executive Committee

Section 1. The elected and appointed officers of the Post, the Past Post Commander, shall constitute the Executive Committee which is charged with the administrative affairs and property of the Post. The Executive Committee shall formulate the policy of the organization for approval by the members.

Section 2. The Executive Committee will meet at the call of the Commander, who is the chairperson. However, they can meet when three voting members of the Committee feel the need for an unscheduled called meeting.

Section 3. The voting members of the Executive Committee are the Immediate Past Post Commander, Vice Commander for Membership, Vice Commander for Programs, Judge Advocate, Provost Marshal, Finance Officer, Chairperson of the Board of Trustees, and the Adjutant. The Commander can only vote in the case of a tie.

Section 4. Non voting members of the Executive Committee are the Chaplain, Historian, Public Relations Officer, Quartermaster, POW/MIA Chairperson, President of the AMVETS Ladies Auxiliary, Commander of the Sons of AMVETS, President of the Junior AMVETS, President of the AMVETS Riders, and the Saddest Sad Sack.

## Article VI: Post Organization

Section 1. This Post shall be governed by the officers' chosen in accordance with the Constitution and By-Laws and will annually revalidate its charter before June 1<sup>st</sup>. 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 in the Department or National Constitution and By-Laws, this Post shall:

- a) Furnish National and this Department Headquarters with a certified list of current Post Officers (AMVETS Officer Form) no later than June 1<sup>st</sup>;
- b) File IRS Form 990 for the Post fiscal year with the Internal Revenue Service, if required;
- c) Furnish National Headquarters, through the office of the Department Judge Advocate, with a copy of the Post's current Constitution and By-Laws or certify on the 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 an applicable liability insurance and bonding mandates; and
- f) Have a minimum of ten (10) members in good standing at all times.

Section 2. Within thirty (30) days of notice to surrender it's charter resulting from disciplinary or voluntary action, the Post will close all bank accounts and deliver to the state Department all Post records, property, and assets.

## Article VII: Subordinate Organizations

Section 1.

- a) A subordinate organization of this Post may be established only by a provision of this Constitution.
- b) Subordinate organizations' membership qualifications must be consistent with the aims and purposes of AMVETS.

Section 2. All Post subordinate organizations shall follow the same membership year and pay membership dues in concert with the parent organization.

Section 3. All subordinate organizations shall be under the jurisdiction of this Post whose name it bears and shall carry the corresponding number of this Post.

Section 4.

- a) A two-thirds (2/3) vote of the AMVETS members present at a stated meeting is required to approve and form a subordinate organization.

- b) AMVETS Post members must be given written notice of such meeting a minimum of fifteen (15) days prior to a proposed formation.

Section 5. 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 State and National Departments, in compliance the National By-Laws, Article VII, Section 3(a).

### Article VIII: Ladies Auxiliary

Section 1. This Post recognizes a subordinate organization known as the AMVETS Ladies Auxiliary to Post 35.

Section 2. Membership eligibility in the AMVETS Ladies Auxiliary shall comply with the AMVETS Ladies Auxiliary National Constitution and By-Laws.

### Article IX: Sad Sacks

Section 1. This Post recognizes a subordinate organization known as the AMVETS National Sad Sacks.

Section 2. Membership in Sad Sacks shall comply with the National AMVETS Sad Sacks Constitution and By-Laws.

### Article X: Junior AMVETS

Section 1. This Post recognizes a subordinate organization known as Junior AMVETS.

Section 2. Membership eligibility for Junior AMVETS shall be prescribed in the National Junior AMVETS Constitution and By-Laws.

Section 3. The Post Commander shall appoint a Junior AMVETS Coordinator to work with the Junior AMVETS Coordinator from the AMVETS Ladies Auxiliary to work with the Junior AMVETS.

### Article XI: Sons of AMVETS

Section 1. This Post recognizes a subordinate organization known as Sons of AMVETS.

Section 2. Membership eligibility for Sons of AMVETS shall be prescribed in the National Sons of AMVETS Constitution and By-Laws.

Section 3. The Post Commander shall appoint a Sons of AMVETS Coordinator to work with the Sons of AMVETS.

## Article XII: AMVETS Riders

Section 1. This Post recognizes a subordinate organization known as AMVETS Riders.

Section 2. Membership eligibility for the AMVETS Riders shall be prescribed in National AMVETS Riders Constitution and By-Laws.

## Article XIII; Amendments

This Constitution may be amended upon recommendations of the Executive Committee or by resolution at any General Membership Meeting in the following manner.

1. The proposed amendments shall be submitted in writing to the Executive Committee for its recommendations and study and shall be presented to the membership at any regularly scheduled General Membership or Annual Meeting.
2. Copies of the proposed amendments to the Constitution shall be submitted to all members of the Post at least ten (10) days before the date of voting.
3. A two-thirds (2/3) vote of members present shall be required to amend this Constitution.
4. Two (2) copies of all amendments shall be forwarded to the Florida AMVETS Judge Advocate before June 1<sup>st</sup>.

Approved at the General Membership Meeting of 15 May 2012.

Craig Sarrasin  
Commander

Rick Brack  
Judge Advocate