

**AMVETS DEPARTMENT
OF SOUTH CAROLINA**



Endorsements

Judge Advocate: _____ **date** _____

Executive Director: _____ **date** _____

CONSTITUTION AND BYLAWS - AMENDED 6/26/11

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ARTICLE I: NAME

The name of this organization shall be AMVETS DEPARTMENT OF SOUTH CAROLINA and shall be hereinafter referred to as the Department.

ARTICLE II: MEMBERSHIP

1. Life and annual membership dues are payable to the Post, as defined by the National Bylaws.
2. Members-at-large shall remit thirty dollars (\$30.00) to Department Headquarters for annual membership renewal.

ARTICLE III: STATE EXECUTIVE COMMITTEE

1. The State Executive Committee shall be as prescribed by Appendix E to the National Constitution and Bylaws, Section 2.
2. SEC meetings shall take place in September, January and March unless a majority of the SEC members present and voting at any SEC meeting shall vote to alter the month in which the next SEC meeting should be held. In the event of an emergency or a natural disaster, the Department Commander shall poll the department officers explaining the reasoning behind the desire to change the meeting date. A majority of the department officers must agree with the proposed change of meeting date. At each SEC meeting the date and site of the next meeting shall be decided upon by a majority vote of those present and voting. When it is desired to change a meeting, in advance, from the months at stated above, each change selected shall be for the one meeting only, and shall not be construed to be a permanent change of meeting date in perpetuity.
3. All elected and appointed department officers shall be members of the State Executive Committee.
4. Appointed officers will not have the right to vote unless appointed to a vacated elected position.
5. The Department Finance Committee

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- a. Shall consist of the elected officers of the Department
- b. Shall be charged with the preparation of the annual budget and the handling of funds, subject to the approval of the Department Executive Committee and the limitations set forth in the constitution.

ARTICLE IV: ELECTION OF OFFICERS

1. The election of officers will be held annually at the department convention.
2. All members who have been a member of the department for not less than seven (7) months are eligible for any elected office. Any elected member of the SEC may also be appointed to simultaneously serve in more than one office by the Department Commander with the advice and consent of the SEC; however, those members shall be entitled to vote only in the capacity of the office for which they were elected.
3. Members must be present or, if unable to attend, have presented a letter of intent to seek and accept nomination for elected office. A letter of intent and a letter requesting an excused absence must be approved by a majority of those delegates present and voting.
4. Election shall be by secret ballot, prepared by the Adjutant, and by majority of the votes cast. In the event of more than two nominees, the one with the least votes will drop out until a majority is received.
5. Installation will be immediately following the election. The term of office shall be for one year with the exception of the NEC and Trustees, or until a successor is elected or appointed. Should a person elected not be present, that person will be installed at a later date by the present or a past Commander.
6. Should the office of the Commander be vacant, the First Vice Commander will move to that office and the Second Vice Commander shall assume the office of the First Vice Commander. The Executive Committee at its next regularly scheduled meeting shall elect, from its membership, a person to complete the unexpired term of the Second Vice Commander. Should a vacancy occur in any other office, the

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Commander will appoint a replacement, with the approval of the Executive Committee.

7. One Trustee will be elected annually for a three-year term. The NEC will be elected biannually in uneven numbered years for a two year term or until a successor is elected or appointed.
8. Each delegate will have one vote and must be present to vote.

ARTICLE V: ELECTED OFFICERS

1. **DEPARTMENT COMMANDER:** Shall be the presiding officer of the Department and shall carry out the duties incumbent upon the Office of Commander. Shall be an ex-officio member of all committees of the Department. Shall have the responsibility for performing all administrative acts on behalf of the department. Shall preside at all meetings of the SEC as well as the department convention. Shall delegate such authority as required to department officers. Shall perform all such duties as are usual and incident to the office of Commander of a department of AMVETS.
2. **1ST VICE COMMANDER:** Primary duties include the recruitment of new members and the administration of all programs having to do with memberships. Shall assist the Commander in all duties as may be directed. Shall, when requested, preside over meetings of the SEC and the department convention. Shall prepare a membership report quarterly for presentation at the SEC meetings and at the department convention.
3. **2ND VICE COMMANDER:** Shall assist the Commander in the administration of all programs within the department, except for membership, and assist the Commander in the conduct of that office shall perform other duties as may be requested by the Commander.
4. **EXECUTIVE DIRECTOR:** Shall perform the administrative duties of the Department. Shall remit all membership documentation and monies due to National Headquarters on a timely basis. Shall assist the posts in establishing proper records when requested to do so. Shall perform such duties as are necessary to re-validate the department annually. Shall be the custodian of all department funds and shall deposit all funds remitted

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to the department. Shall be authorized to make withdrawals, with the approval of the Commander and/or the SEC, from the department general fund and savings accounts, as necessary, while conducting department business. Shall prepare a financial report quarterly, and publish it to the SEC at its regular meetings. Shall ensure all checks issued are authorized by two signatories, designated by the Executive Committee.

5. **JUDGE ADVOCATE:** Shall be the parliamentary advisor to the department headquarters and shall draft, approve or interpret, as required, the AMVETS Department and National Constitution and Bylaws. Shall perform such other duties as are incumbent on the office of Judge Advocate. Shall review all post and department constitution and bylaws as submitted to ensure compliance with National guidelines.
6. **NATIONAL EXECUTIVE COMMITTEEMAN:** Shall represent the department at all meetings of National Executive Committee. Shall report all AMVETS national Headquarters business to the SEC during the quarterly and convention meetings. Any grievances by members against their post, or of a post against the department, not settled to the satisfaction of all parties involved, may be brought before the National Executive Committeeman (NEC) or the Department Commander on request, for presentation to the National Executive Committee.
7. **ALTERNATE NATIONAL EXECUTIVE COMMITTEEMAN:** Shall assume such duties and represent the Department in the absence of the National Executive Committeeman.
8. **PROVOST MARSHAL:** Shall assist the Commander in maintaining order at all meetings of the SEC and the department convention. Shall be the custodian of the department colors and accessories, displaying them at all departmental functions.
9. **BOARD OF TRUSTEES:** The Board of Trustees shall audit, or otherwise examine, the financial records of the department. The board of trustees shall make these audits and examinations at least once annually, no less than thirty (30) days prior to the department convention. The department convention shall elect members of the Board of Trustees, at large, to serve terms of one (1), two (2) and three (3) years, beginning with the department convention in the year 2007. A Trustee will be elected annually to serve a three-year term.

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ARTICLE VI: APPOINTED OFFICERS

The following officers shall be appointed, and the Department Commander will make such appointments following the department convention. These offices and duties are as follows:

1. **CHAPLAIN:** Shall be the Spiritual head of the department, shall lead all Divine Services, adhering to the appropriate ceremonial rituals on a non-secretarian basis, and other duties incumbent upon the office of Chaplain.
2. **INSPECTOR GENERAL:** Shall be the investigative officer of the Department. At the direction of the Commander or the SEC, shall make any necessary investigations pertaining to grievances, disciplinary actions, fraud or any other suspected acts of dishonesty within the department. When in the performance of duties, the IG shall be empowered to have access to all records, financial and otherwise, of all posts, officers or members. Reimbursement for actual expenses incurred in the execution of directed duties may be authorized subject to the approval of the SEC. The IG shall report the findings of investigations to the Department Commander, who shall then report them to the SEC for their consideration, approval and/or action.
3. **VETERANS AFFAIRS VOLUNTEER SERVICE REPRESENTATIVE:** VAVS Representatives shall be appointed, one each from the Charleston and Columbia areas to assist at the VA medical centers located in those cities. VAVS representatives will be certified by National Headquarters to a 2 year term of office. VAVS reps are encouraged to appoint Deputy VAVS reps to assist them in the performance of their duties. VAVS reps shall formulate and provide entertainment programs for those veterans who may be currently hospitalized in the VAMCs or other veteran care centers within the surrounding areas and direct activities for them. They shall assist the various posts, as required, in coordinating and unifying their work in Community Services involving veterans, and shall provide program reports to the SEC, on a quarterly basis, covering activities provided to the veterans.

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4. **PUBLIC RELATIONS OFFICER:** Shall compile, from year-to-year, all records of historical value to the department, and shall be responsible for the planning and development of a public relations program pertaining to publicity, organizational publications, and act as Liaison Officer with all public relations media outlets. Shall edit, re-write, or in whatever manner required, prepare news releases and/or articles, as required for submission to the various South Carolina newspapers for publication.

ARTICLE VII: MEETINGS

SEC Quarterly Meetings

1. Quarterly meetings of the Department SEC will be held in compliance with the provisions of Article III, Section 2, of these bylaws. These meetings will be held on a Saturday or Sunday, at the time and place decided upon, also as provided in Article III, Section 2.

- a. The SEC may be called into special session upon due and timely notice from the Department Commander. Such notice is to be in writing, giving as much advance notice as is practical in the circumstances.

2. Posts shall appoint or elect, at their option, one member who will represent the post at quarterly SEC meetings. This delegate will have one vote, and will be a member of the SEC then in session. This delegate will be in addition to any department officer who may also be a member of that same post.

3. All Posts will provide, on a quarterly basis (to coincide with SEC meetings), a current membership roster to include the member's name, current address and, if known, their membership number.

4. The host post for the quarterly SEC meetings must be prepared to supply rooms necessary to hold two meetings simultaneously. The host post will, if post funds permit, furnish food and refreshments at the end of the meetings, free of charge, to the delegates and Ladies Auxiliary delegates. The department budget will make provision for the reimbursement of the host post for expenses, as approved by the SEC.

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5. Department Officers failing to attend two (2) consecutive department meetings will be considered to have vacated that office. The Department Commander, with the advice and consent of the SEC, will then appoint an AMVET present at the meeting to fill the vacancy thus created, until such time as the officer may be replaced at the next department convention.

Department Convention

1. The department convention shall convene annually in June at a location and a date which shall have been decided upon at a previous department SEC meeting. Training sessions will be conducted from 8-10 a.m. on Saturday morning if required. The department joint convention will convene Saturday morning at 1100, to be followed by the department convention.

2. The newly elected Department Commander shall be the state delegate to the AMVETS National Convention.

3. All Legislative powers of the department shall be vested in the delegates present and voting at the department convention.

4. All resolutions, policies, amendments and mandates enacted by the department convention shall conform to the United States Code of Laws, and the South Carolina Code of Laws as well as the AMVETS National Constitution and Bylaws.

5. The department convention shall consist of:

The State Executive Committee, and delegates and alternate delegates from each local post as awarded to the local posts based on membership data received by the Department Headquarters as of May 31st, as follows:

010 - 050 Members = 2 Delegates and 2 Alternates

051 - 100 Members = 3 Delegates and 3 Alternates

101 - 150 Members = 4 Delegates and 4 Alternates

151 - 200 Members = 5 Delegates and 5 Alternates, etc.

6. Each registered member of the SEC and each registered delegate shall have one vote on any matter brought before the department convention. However, a post, in order to have their delegates seated at the department convention with full voting privileges, must have been chartered by National Headquarters prior to May 1.

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7. Alternate delegates shall have all the rights and privileges of a delegate, with the exception that they may vote only in the absence of the delegate for whom they are the designated alternate. Each delegate and/or alternate must be a member in good standing of the post from which they are elected or appointed.

8. A quorum shall be declared as present when no less than fifty-one (51%) percent of the registered delegates to the department convention are present and voting. Fifteen (15) voting delegates must be registered in order for there to be a quorum for the purposes of conducting a department convention. When in session as a legally constituted department convention, all business meetings shall be conducted so as to conform as closely as practicable to ROBERT'S RULES OF ORDER.

9. The Department Convention registration fee shall be Twenty Dollars (\$20.00), and shall be collected from each department officer, delegate and/or alternate delegate in attendance at the Convention. All fees shall be paid to the Executive Director, or a designated representative, at the time of registration. All registration fees must be paid no later than 10:30 a.m. on the day of the convention.

ARTICLE VIII: POST OPERATIONS

1. When a Post operates a club room for the convenience and pleasure of its members, and the name AMVETS or its insignia/Logo is displayed or used in any manner, a Board of Trustees shall be elected from among the members of that post to supervise the activities, finances and operations of the post club room.
2. In order for the SEC to approve the opening of a club room, a post must have on record at the Department Headquarters, and maintain, no less than twenty-five (25) members. Club room operations must conform to department bylaws.
3. CLUB ROOM DEFINED: "A place that has an alcoholic beverage license and/or a bingo license or other gaming devices issued or approved by the State of South Carolina authorizing such operation".

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4. Posts which employ Club Room Managers will bond that manager locally. Managers must be bonded within thirty (30) days of their employment.
5. In the event that the Department Commander calls a meeting at a post for the purpose of electing post officers, only those members whose names and dues have been recorded at the department headquarters no less than twenty-four (24) hours prior to such meeting, shall be eligible to vote in the elections thus held.
6. Each post with a club room shall be required to send a minimum of one delegate to the quarterly SEC meeting, and to the department convention.
7. All Posts shall be required to submit a written report of community services and post activities. These reports should also contain those activities of subordinate organizations within the post.
8. When a new Post desires to open a Club Room within a ten-mile radius of an existing Post Club Room, prior approval for that new club room must be obtained from the post club room already in operation within that ten-mile radius and from the SEC.
9. Posts not able to meet the membership requirements to operate a club room, may appeal to the SEC, in writing, seeking relief from these requirements. Decisions of the SEC in these circumstances will be final, with no provisions provided for appeal.
10. The issuance or sale of "FRIENDS OF AMVETS" cards is considered to be an act of creating HONORARY MEMBERSHIPS which are prohibited. Any Post found to be in violation of this section will be made to show cause as to why their charter should not be suspended by action of the SEC. Posts found to be in continued violation of this section shall have their charter suspended, and on recommendation by the SEC and pending final action by the National Executive Committee, revocation of said post charter.

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ARTICLE IX: DISCIPLINE OF POSTS

1. Discipline of posts shall be in accordance with AMVETS National Bylaws, Appendix A: *Uniform Code of Procedure for the Revocation, Cancellation or Suspension of Post Charters*.
2. Any Post within the Department of South Carolina who:
 - a. Fails to meet constitutional obligations without just cause; or
 - b. Ceases to function as a post for a period in excess of six months; or
 - c. Voluntarily ceases to function as a post; or
 - d. Merges with one, or more, existing Posts; or
 - e. Refuses, or fails, to pay monies due to the Department, shall, upon order of the State Executive Committee (SEC), shall surrender their post charter.
3. A directive from the AMVETS National Commander to the Department Commander, ordering disciplinary action to be taken against a post must be acted upon. Failure to take action may result in the National Commander suspending the post by written notice, in which case a copy of the directive will be forwarded to the department headquarters and to the National Executive Director.
4. When a post charter is canceled or revoked for any reason, the charter will be returned to department headquarters and forwarded to national headquarters within thirty (30) days.
5. With regard to disciplinary action, all pertinent “moving papers”, including transcripts and other supporting documentation of hearings, shall be directed to the national headquarters for review by the National Judge Advocate.

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ARTICLE X: DISCIPLINE OF POST MEMBERS

1. Discipline of post members shall be in accordance with AMVETS National Bylaws, Appendix B: *Uniform Code of Procedure for the Suspension or Expulsion of a Member*.

ARTICLE XI: SALES TAX ASSESSMENT

1. Each Post operating a Club Room or Lounge shall remit monthly to the Department an amount equal to the liquor by the drink excise tax paid to the state of South Carolina.

ARTICLE XII: INSURANCE REQUIREMENTS

1. If a Post rents, leases, or owns a facility which serves alcoholic beverages to members and their guests, that Post must carry Workers Compensation Insurance in accordance with the laws of the State, Public Liability Insurance (including product liability and personal injury coverage) and liquor liability insurance based on limits of liability as determined by the insurer.

2. The AMVETS State Department and the National Department shall be included as additional insured entities on all policies and a certificate of said insurance shall be mailed to the State Department and to National Headquarters.

ARTICLE XIII: INCORPORATION REQUIREMENTS

1. National Bylaws, Article VII, Section (3)(c) and (e) requires that any Post or Club Room displaying the AMVETS name is mandated to incorporate under a business Not-for-Profit Corporation law in accordance with existing state statutes. National Constitution, Article X, Section 3(g) requires each post to “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.

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2. All Posts within this Department are required to be incorporated. A copy of the Articles of Incorporation will be sent to the Department and National Headquarters. It is also recommended all posts consider incorporating subordinate organizations.

ARTICLE XIV: AMENDMENTS

1. Any Article, Section, or Paragraph of these Bylaws found to be in conflict with the AMVETS National Bylaws shall be considered NULL and VOID. The provisions of the AMVETS National bylaws shall prevail in all such circumstances, without exception, and shall not be subject to debate.
2. These Bylaws may be amended at any Department Convention by majority vote of those Delegates present and voting at such Convention.
3. Amendments and proposed amendments shall be duly submitted, in writing, to the Department Headquarters, a Department Officer, a Post Delegate or Post Officer no less than thirty (30) days prior to the Department Convention. The Department Headquarters will notify, by letter, the Department Officers, Post Delegates and Post Officers of any amendments received, within twenty (20) days of the Department Convention.

ARTICLE XV SEC REIMBURSEMENT

1. The Department shall pay for SEC and Dept. convention mileage and lodging for Dept. officers
2. The Finance Committee shall set the travel mileage rate
3. When two or more State Officers travel together, only that Officer who furnishes the transportation will be reimbursed from Department funds

ARTICLE XVI Fiscal Year

1. The Department fiscal year shall be 1 July to 30 June

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APPENDIX E: AMVETS UNIFORM DEPT. CONSTITUTION

Downloaded from Amvets National website Sept. 13, 2010
(In accordance with Article IX, Section 10 of the National Constitution)

Section 1. Departments shall be organized with a headquarters located as authorized by the department convention or an intervening State (Department) Executive Committee (SEC or DEC) meeting. Local posts shall be formed, and intermediate administrative groups may be created by the State Executive Committee to function within their respective jurisdiction where such action is deemed advisable. This appendix to the AMVETS National constitution shall be the constitution for all departments. Departments shall formulate By Laws to address those aspects of operation not covered in this constitution no later than July 1, 2007.

Section 2. Departments 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 department convention and the State Executive Committee.

Section 3. Each department shall conduct its convention, to be held annually between May 15 and June 30, at which time it shall elect department Officers and its delegate and alternate to the national convention and its national executive committeeman and alternate. Elected department officers shall assume office not later than July 15. National executive committeemen and alternates shall assume office in accordance with Article VII, Section 4 of this Constitution.

(a) The department convention delegation shall be comprised as prescribed by the Department Bylaws.

(b) Each post shall choose a delegate(s) and an alternate(s) at a post meeting.

(c) The department commander shall vote only in the case of a tie.

(d) Each delegate shall be entitled to one vote. Alternates shall have all the rights and privileges of their delegates except they shall vote only in their delegate's absence. No delegate or alternate, however, shall be seated at the department convention unless the individual's accounts with department headquarters are fully paid up.

(e) No delegate of an accredited post shall be seated at the department convention unless the respective post shall be fully paid up in all its accounts with department headquarters and department districts. No post delegate or alternate shall be permitted to register as such unless the delegate or

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alternate shall have been a member in good standing on the department rolls for at least 30 days prior to the opening of said convention and possesses a membership card or other satisfactory evidence identifying the delegate or alternate as a member of the post from which the individual is registering.

(f) Departments shall specify convention quorum requirements in by laws or convention rules.

(g) No department convention bids shall be received on the convention floor unless they are previously submitted to the Department Finance Committee and/or the State Executive Committee, in accordance with the rules of said committee, and in accordance with the rules and procedures of the State Executive Committee.

(h) Convention Chairmen shall be chosen in accordance with the Department Bylaws.

(i) The Convention Rules Committee, after reviewing and making necessary changes, shall present to the State Executive Committee at a regular SEC meeting, for its approval, the Rules of the Annual Convention following the SEC meeting at which the rules are considered. The Department Headquarters will then circulate those rules to the posts at least 30 days prior to the Annual Convention. The Rules of the Convention may be amended by a majority vote of the delegates assembled at the Annual Department Convention.

Section 4.

(a) The department convention shall elect a department commander, a department first vice commander, a department second vice commander, a department finance officer, a department National Executive Committeeman, a department Alternate National Executive Committeeman, a department provost marshal, a department judge advocate, and any other officers prescribed in the Department Bylaws.

(b) No member shall be eligible for any department office unless the individual is fully paid up in all accounts with the department headquarters 30 days prior to the opening date of the department convention.

(c) Departments shall specify candidate eligibility certification procedures in the by laws or convention rules. The department commander, with the consent and approval of the State Executive Committee, shall appoint and have the power to remove a department chaplain, a department inspector general and such other officers and committee chairmen as specified in the Department Bylaws. These appointments shall be made at the post-convention SEC meeting.

Section 5. All elected and appointed department officers shall be members of the State (Department) Executive Committee. The authority for officers to

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vote on the State (Department) Executive Committee shall be prescribed in the Department By Laws.

Section 6.

(a) An elected officer may be removed from office only by a two-thirds vote of the Department Executive Committee after written charges against such officer shall have been preferred and furnished by certified mail to the officer concerned and to the members of the Department Executive Committee. A full hearing shall be held by the Department Executive Committee on charges preferred against an elected department officer. Such hearing shall be held not less than 30 days after the charges are referred and mailed.

(b) The procedure for removal from office of elected officers shall be prescribed by the State Executive Committee on recommendation of the department judge advocate in accordance with the UNIFORM CODE OF PROCEDURE FOR THE SUSPENSION OR EXPULSION OF A MEMBER (AMVETS National Bylaws, Appendix B)

Section 7. Department officers elected at a department convention shall be installed in office at a ceremony held at the Convention. The term of office shall be as prescribed in the Department Bylaws.

Section 8. In the event of a vacancy in the office of department commander, the department first vice commander shall succeed to that office, except that the Department By Laws may prescribe election of the department commander by the State Executive Committee. in the event of a vacancy in the office of the department first vice commander, the department second vice commander shall assume the office of department first vice commander. Any additional vice commanders specified in the department by laws shall similarly participate in succession.

Section 9. In the event of a vacancy in the office of the most junior vice commander, department finance officer, department provost marshal or department judge advocate, or other elected officer, regardless of the reason for such vacancy, the department commander shall appoint an AMVET to fill the vacant office for the unexpired term. Such appointment shall be with the approval of the State Executive Committee and the appointee shall be in compliance with all qualifications and restrictions regarding the holding of said office as set forth in any other article of the constitution and bylaws of AMVETS, except the requirement of election. On approval of the State Executive Committee, the appointee shall assume all powers and responsibilities pertaining to the office as though elected.

Section 10. The administrative power between department conventions shall be vested in the State Executive Committee, which shall be composed of the

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department commander, the department first vice commander and the department second vice commander, all other elected department officers, past department commanders and others as prescribed by the Department By Laws. Each of the above members shall be entitled to one vote except the department commander, who shall vote only in case of a tie, and except that the past department commanders present may be entitled to vote as prescribed in the Department Bylaws.

Section 11. Voting members of the State Executive Committee shall be delegates to the department convention, each entitled to one vote, providing their respective posts have complied with all the provisions of the department constitution and bylaws.

Section 12. The management of the Department budget as approved at the state convention shall be under the control of the State Executive Committee, which shall delegate sufficient general and specific authority to the Department Finance Committee, as authorized by the Department Bylaws, to carry out the usual duties of such committee. The Department Finance Committee, with the approval of the State Executive Committee, shall have the authority to retain independent investment experts as needed for consultation in supervising any and all AMVETS funds.

(a) The Department Finance Committee shall consist of members as prescribed in the department bylaws.

(b) The Finance Committee shall meet prior to each SEC meeting, or at other times as set forth in the department bylaws.

(c) The Finance Committee shall make an annual report to the department convention. Revenue shall be derived from annual dues and such other sources as may be approved by the State Executive Committee.

(d) The Finance Committee shall submit a provisional annual budget as prescribed in the Department Bylaws.

Section 13. The following provisions shall govern the establishment and administration of the budget of the Department Headquarters:

(a) The Finance Committee has the sole fiduciary responsibility to prepare and present a budget that is fiscally sound.

(b) In determining the budget, revenue shall be based on tangible assumptions and realistic and/or proven income projections to include revenue that provides funding for the operations and programs approved by the Finance Committee, State Executive Committee, and department convention.

(c) In the full execution of approved programs within the budget, expenses shall be budgeted as realistically as possible to ensure overall spending integrity.

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(d) A contingency budget line shall be developed solely to address unexpected expenses during the operating fiscal year and included in the budget.

(e) In no case shall the Department Finance Committee or any other body of the department organization be permitted to adopt or approve a budget in which the expenses, provisions for capital expenditures and provisions for debt reduction exceed the income established above. Under no circumstances, however, shall the aggregate budget as approved by the Department Convention be over-expended. Violation of any of the foregoing provisions by any person shall constitute cause for disciplinary action, including removal from office or dismissal from employment.

(f) Any person who willfully violates any provision of this section shall, in addition to any other disciplinary action taken, be personally financially liable for any amount spent that exceeds the budget appropriations unless such excess had prior approval of the Department Finance Committee. Any salary or expense money due or to become due to such person may be retained by the organization to offset all or any part of the unauthorized over-expenditure.

Section 14. The Department Finance Committee shall have the power and authority to designate the depository banks or other financial institutions to receive deposits into various accounts belonging to the Department and to disburse such funds on checks signed by two or more persons designated by the Department Bylaws

Section 15. The fiscal year shall be designated in the department bylaws.

Section 16. Any resolution emanating from a department convention involving the expenditure of funds or any financial commitment shall be referred to the Department Finance Committee for approval. In reviewing resolutions adopted at a department convention, the Department Finance Committee shall have three options: (1) provide funding from the newly adopted department budget, (2) defer funding pending appropriate planning by the department staff as part of the next fiscal year or (3) deny funding based on current and projected funding levels. If a resolution is denied or deferred because of a want of available funds within the meaning of Section 13 hereof, the Department Finance Committee shall report such decision to the Department Executive Committee at its next meeting.

Section 17.

(a) The State Executive Committee, after notice and hearing, may cancel, suspend or revoke the charter of any post for good and sufficient cause. Procedure for any such action shall be as prescribed by AMVETS National Bylaws, Appendix A.

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(b) In the event of the cancellation, suspension or revocation of any charter of any Post, the suspended body shall have the right of appeal to the next department convention.

Section 18. As prescribed in the Department Bylaws, the department commander, after notice, may invoke and formulate a trusteeship to take over the operation of a post for good and sufficient reasons and for the well being of the AMVET organization.

Section 19. 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 this constitution and bylaws and to report its findings and recommendations to the State Executive Committee. The state commander shall designate the chairman. 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 state judge advocate shall serve as ex-officio members of this committee without vote.