

DRAFT CBL AMENDMENT CBL-9

SUBJECT: Add new Section 3 to Article IV of AMVETS National Bylaws.

SOURCE: FL

WHEREAS, Article XII, Section 3 of the National Constitution gives the National Commander authority to invoke a trusteeship, and

WHEREAS, in some instances it serves better to invoke a trusteeship rather than suspend the charter of a Department

WHEREAS, there is no formal process in place to conduct the trusteeship if invoked, and

WHEREAS, the appointed trustee(s) should have a process to follow to achieve satisfactory results, now therefore be it

RESOLVED, to add new Section 3 and 4 to Article IV of AMVETS National Bylaws and renumber the existing Section 3 and all other sections following. The new Section 3 and 4 will read as follows:

Section 3. The National Commander, after written notice to the Department Commander, may invoke and formulate a trusteeship to take over the operation of a department for good and sufficient reasons and for the well-being of the AMVET Organization.

The Commander will appoint a Lead Trustee and up to two (2) additional trustees, if necessary, to correct the issues leading up to the trusteeship. The Commander's notice must detail in writing the exact reason(s) for invoking the trusteeship.

Within 15 days of appointment, the Lead Trustee must submit a Corrective Action Plan (CAP) addressing all issue(s) that are identified to remove the trusteeship. Each issue addressed must have a plan that, when implemented will correct the deficiency. Each of the issues in the CAP should have an estimated timeframe of when it will be implemented and how long will it take to rectify the issue. This plan will be presented to the National Commander for review by the National Executive Board.

The Trustee(s) are authorized, empowered and directed by and through the duly authorized agent to remove and appoint any normally elected or appointed officers. The CAP may include suspending the department charter until certain conditions are corrected. If so, the National Executive Board will authorize the suspension. Trustees will have unaccompanied and unrestricted access to any and all areas of the department and any and all records of the department.

The Trustees will schedule and conduct a town hall meeting for all department executive board officers advising them of the trusteeship, the process needed to lift the trusteeship and the estimated time it will take.

When the results of the CAP have been accomplished, the number of the trustees may be reduced

with only the Lead Trustee ensuring that the plan stays in effect and the department is truly on the way to recovery.

The Lead Trustee will submit a final report to the National Executive Board suggesting that the Commander lift the trusteeship. This report will be a recap of the actions that were successful in removing the Commander's issues for invoking the trusteeship. The decision to lift the trusteeship will be made by the National Executive Board.

If the trusteeship is to continue longer than a year, it must be renewed by a 2/3 vote of the National Executive Board.

The Trusteeship must not violate any Federal, State, County, or City law, statute ordinance or any other condition that affects trusteeship operations.

Section 4. Departments may appeal the Trusteeship within 15 days of notification. Appeals will be forwarded to the AMVETS National Executive Director by Certified Mail, Return Receipt Requested using the guidelines published in AM VETS National Bylaws, Appendix C.

Committee Recommendations:

Constitution and Bylaws: Amend – replace “duly authorized agent” with “National Commander”

Membership: None

Floor Action: ADOPTED as amended