DRAFT CBL AMENDMENT 17-31

SUBJECT: Amend AMVETS Bylaws to Remove Inconsistencies

SOURCE: AMVETS Department of Virginia

WHEREAS, currently Article XXIII, part 3 does not include language addressing the role of the National Finance Committee as specified in Article XI, Sect. 9 of the AMVETS Constitution; and

WHEREAS, currently Article XXIII, part 4 states that: “Amendments to this constitution shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution;” however, this does not ensure the prudent review and planning by all the potentially involved parties, nor afford leadership sufficient opportunity to assess and determine the impacts on current and future fiscal year operations, nor ensure due diligence for planning its implementation; and

WHEREAS, a prudent and recommended "best business practice" is to minimize risk to current and future operations by aligning and setting the default date of effectiveness for governance with the start of the fiscal year; and

WHEREAS, Article XI, Sect. 9 of the AMVETS Constitution stipulates that, all resolutions involving budget and finances should be referred to and reviewed by the National Finance Committee; and

WHEREAS, the immediate adoption provision was established prior to the change of AMVETS’ fiscal year to September 1 – August 31; and

WHEREAS, the exception to the default date of effectiveness should be dependent on the specific need and intent to have something go into effect, whether immediately or any other date; and

WHEREAS, establishing the default effective date of adoption to 1 September would provide a consistent, predictable and lowest-risk alignment with the start of the AMVETS fiscal year and commencement of the newly elected officers’ terms of office, now, therefore, be it

RESOLVED, that Article XXIII should be amended to read:

COMMITTEE RECOMMENDATIONS:
CONSTITUTION & BY-LAWS.........................ADOPT ☐ AMEND ☐ REJECT ☐ NONE ☐
FLOOR ACTION: ADOPTED ☐ ADOPTED (as amended) ☐ REJECTED ☐ TABLED ☐
3. No amendment, however, may be adopted unless the same is referred to the Constitution and Bylaws Committee and, if applicable, to the National Finance Committee, and considered by it and reported to the national convention.

4. Amendments to this constitution shall take effect immediately upon adoption, unless otherwise specified by the adopted resolution.

Pros (for this initiative):
- The current default provision (for Amendments to take effect immediately upon adoption) is potentially harmful to the successful execution and completion of current fiscal year operations.
- It ensures the prudent review and understanding of the impact and implications for both current and upcoming fiscal year operations, and enables planning and adjustment by all the potentially involved parties, including both incoming and outgoing officers.
- The default effective date of new officers' term of office is already currently the start of the fiscal year. A best practice is to align and maintain the terms of governance with the corresponding terms of office and budget year.
- A prudent and recommended best business practice is to set “default” dates that are the least risk to operations.
- The need and intent to have something go into effect immediately or any other date should be the exception to the default date of the start of the fiscal year.

Cons (against this initiative):
- None

COMMITTEE RECOMMENDATIONS:
CONSTITUTION & BY-LAWS...................ADOPT □ AMEND □ REJECT □ NONE □
FLOOR ACTION: ADOPTED □ ADOPTED (as amended) □ REJECTED □ TABLED □