

**THE NATIONAL CONSTITUTION AND BY-LAWS**

*of the*

**POLISH LEGION OF AMERICAN VETERANS, U.S.A.**

*Chartered by Act of Congress Under Public Laws 98-372*

Issued by the

**NATIONAL DEPARTMENT, P.L.A.V., U.S.A.**

*A Not-For-Profit Corporation, Chartered Under the Laws of the State of Illinois*

**File Number: N-1598-894-1**

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*This edition of the Constitution and By-Laws includes all amendments to and including 2016*

***OVER 3,000,000 AMERICANS OF POLISH DESCENT  
SERVED IN THE UNITED STATES ARMED FORCES  
DURING ALL WARS AND CONFLICTS INVOLVING  
THE UNITED STATES OF AMERICA***

**PART I – CONSTITUTION INDEX**

**PREAMBLE** ----- 4

**ARTICLE I**  
NAME OF ORHANIZATION----- 5

**ARTICLE II**  
MEMBERSHIP ELIGIBILITY----- 5-6  
FORMS OF MEMBERSHIP----- 6  
ACTIVE NATIONAL LIFE MEMBERSHIP----- 6  
ACTIVE STATE AND POST LIFE MEMBERSHIP----- 6  
HONORARY MEMBERSHIP----- 7- 8  
MEMBERS-AT-LARGE POSTS----- 8

**ARTICLE III**  
ORGANIZATION----- 9

**ARTICLE IV**  
NATIONAL CONVENTION----- 9  
CONVENTION DELEGATES----- 9-10  
SPECIAL NATIONAL CONVENTION----- 10  
NATIONAL CONVENTION CORPORATION----- 10

**ARTICLE V-**  
ELECTED OFFICERS----- 11  
NATIONAL ADJUTANT----- 11  
A[PPOINTED OFFICERS----- 11-12  
CHAPLAINS----- 12  
ARTICLE VI  
NATIONAL EXECUTIVE COMMITTEE----- 12-13  
NATIONAL EXECUTIVE COMMITTEE MEETINGS----- 13  
NATIONAL EXECUTIVE COMMITTEE MEETINGS SITES----- 13

**ARTICLE VII**  
STATE DEPARTMENTS ----- 13  
STATE CONVENTIONS ----- 13-14

**ARTICLE VIII**  
LOCAL POSTS----- 14  
ELECTION OF POST OFFICERS----- 14  
POSTS DISBANDMENT & MERGING----- 14  
POST MEMBERSHIP DUES----- 15

**ARTICLE IX**  
NATIONAL FINANCES----- 15  
REPORTS OF NATIONAL TREASUER & MEMBERSHIP DIRECTOR----- 15  
NATIONAL MEMBERSHIP DUES----- 15-16  
FISCAL YEAR----- 16

**ARTICLE X**  
ELECTION OF NATIONAL OFFICERS----- 16-18  
ELECTION OF STATE COMMANDER----- 17  
ELECTION OF POST COMMANDER----- 18  
VACANCIES (NATIONAL OFFICES)----- 18

**ARTICLE XI**  
DISCIPLINE OF MEMBERS----- 18-19  
REVOKE OF STATE CHARTERS----- 19

**ARTICLE XII**  
LADIES AUXILIARY----- 19  
SONS AUXILIARY----- 20  
GOLD STAR MOTHERS AUXILIARY----- 20  
DAUGHTERS & GRANDDAUGHTERS AUXILIARY----- 20

**ARTICLE XIII**  
CONSTITUTION AMENDMENTS----- 20

**PART II- BY-LAWS INDEX**

**ARTICLE I**  
FUNCTIONS OF THE NATIONAL DEPARTMENT----- 21

**ARTICLE II**  
DUTIES OF NATIONAL OFFICERS----- 21-27

**ARTICLE III**  
DISCIPLINE OF MEMBERS AND OFFICERS----- 27

**ARTICLE IV**  
POST DELEGATES TO NATIONAL CONVENTION-----28  
DELEGATE EXPENSES TO NATIONAL CONVENTION-----28

**ARTICLE V**  
NATIONAL CONVENTION CORPORATION PURPOSE AND DUTY----- 28-29  
NATIONAL CONVENTION CORPORATION MEMBERS----- 29  
NATIONAL CONVENTION CORPORATION BOARD OF DIRECTORS----- 29-30  
PAST NATIONAL COMMANDERS CONVENTION MANDATE EXPENSES----- 30  
PAST NATIONAL PRESIDENTS CONVENTION MANDATE EXPENSES----- 30  
DUTIES OF NATIONAL CONVENTION CORPORATION OFFICERS-----30-31  
NATIONAL CONVENTION CORPORATION CONTRACT AUTHORITIES----- 31  
DUTIES OF NATIONAL CONVENTION CORPORATION BOARD OF DIRECTORS----- 31-33  
POLICY OF NATIONAL CONVENTION CORPORATION ----- 33  
NATIONAL CONVENTION CORPORATION CODE OF REGULATIONS ADDENDA----- 34  
STATE CONVENTION CORPORATIONS ----- 34  
HOSTING NATIONAL CONVENTIONS-----34  
CODE OF REGULATIONS AMENDMENTS-----34

**ARTICLE VI**  
PERMANENT COMMITTEES-----34  
DUTIES OF PERMANENT COMMITTEES-----35

**ARTICLE VII-**  
COLLECTION OF DUES----- 36

**ARTICLE VIII**  
ORGANIZATION OF STATE DEPARTMENTS----- 36  
PROVISIONAL STATE DEPARTMENT----- 36

**ARTICLE IX**  
LADIES AUXILIARY----- 36  
SONS ----- 36  
GOLD STAR MOTHERS ----- 36  
DAUGHTERS & GRANDDAUGHTERS-----37

**ARTICLE X**  
ORGANIZATIONS COURTS----- 37

**ARTICLE XI**  
AWARDS AND DECORATIONS----- 37  
AMERICAN WHITE EAGLE AWARD----- 37  
P.L.A.V. AMERICAN EAGLE AWARD----- 37

**ARTICLE XII**  
ROBERTS RULES OF ORDER----- 38

**ARTICLE XIII**  
TAKING OF OATHS-----38

**ARTICLE XIV-**  
BY-LAWS AMENDMENTS-----38

ORIGIN OF THE P.L.A.V, U.S.A.----- 38  
CONSTITUTION & BY-LAWS-DATES OF ADOPTION-----38-39  
OATHS, MEMBERS, OFFICERS AND DELEGATES----- 39-40  
MEETINGS- PROCEDURE AND QUORUMS----- .....40

**PREAMBLE**  
**to the**  
**POLISH LEGION OF AMERICAN VETERANS, U.S.A.**  
**NATIONAL CONSTITUTION**

As a living monument to over 3,000,000 Americans of Polish descent who served in the Armed Forces of the U.S.A. in all Wars and Conflicts of whom many thousands have made the supreme sacrifice for their country by giving their lives, we the Polish Legion of American Veterans, U.S.A. associate ourselves for the following purposes:

To uphold and defend the Constitution of the United States of America and all for which it stands:

To encourage active interest by our fellow countrymen in all demonstrations of American and patriotic causes:

To protect the good name of Americans against all unfriendly attacks:

To insure that all Americans shall receive the positive support due all Americans regardless of ancestry:

To combat all alien influences endeavoring to weaken or destroy our American Institutions and form of government:

To encourage all Americans to combat all undesirable acts against our government be it crime or terrorism:

And to maintain and preserve the true spirit of comradeship that arose from the sacrifices in all wars and conflicts of the United States of America, providing friendship and mutual aid to all Americans especially in patriotic, charitable, educational, and civic activities.

To these principles the Polish Legion of American Veterans, U.S.A. is dedicated.

**CONSTITUTION**  
**POLISH LEGION OF AMERICAN VETERANS, U.S.A.**

**ARTICLE I**  
**NAME OF ORGANIZATION**

Sec.1.The name of this organization shall be "Polish Legion of American Veterans, U.S.A."

**ARTICLE II**  
**MEMBERSHIP**

Sec. 1. Par. 1. Any American Citizen who has served in the Armed Forces of the United States, or, in its Auxiliary Units, after May 9, 1916, or thereafter, and whose service shall have been terminated by an Honorable Discharge, or, an honorable release from active duty, and, also, any American Citizen who is recognized as a Veteran by the U.S. Congress, the U.S. Department of Defense and/or the U.S. Department of Veterans Affairs, shall be eligible for membership in the Polish Legion of American Veterans, U.S.A.

Sec.1. Par. 2. Career and Active Members of the Armed Forces of the United States shall be eligible for membership in the Polish Legion of American Veterans, U.S.A., provided, however, that their service in their respective branch of service is, at all times, in keeping with the Uniform Code of Military Justice, of the United States.

Sec. 1. Par. 3. Any individual who is an active member or former member of the National Guard or other United States Armed Forces Reserve Units, and have proof of such service, and whose service has been terminated by an honorable discharge or honorable release from such service shall be eligible for membership in the Polish Legion of American Veterans, USA.

Sec. 1. Par. 4. American Citizens, who have provided military related service to the United States, and, have proof of such service, via certification by an honorable discharge, issued by the Secretary of Defense, shall be eligible for membership in the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 5. Merchant Marine Seamen, who are recognized as Veterans, by Act of Congress, and/or, who possess an honorable discharge issued by the Department of Defense, along with DD Form 214, shall be eligible for membership in the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 6. Any American Citizen who served in the Armed Forces of our Allies, and, those members of the Armed Forces of our Allies who following such service, emigrated to the United States and became naturalized American Citizens, that served between April 6, 1917, and, thereafter, in all wars, conflicts, peace keeping missions and police actions involving the United States, and, whose service is documented by an honorable release from duty by the Allied Forces in which they served, and/or, their service being granted veteran status by Act of Congress, shall be eligible for membership in the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 7. Living Congressional Medal of Honor Recipients- Upon the request of the State Department in which the recipient resides, they are eligible for membership in the Polish Legion of American Veterans, U.S.A. They shall be granted Active National Life Membership and shall be exempt from the payment of annual dues at the Post, State Department and National levels.

Sec. 1. Par. 8. 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 person who refuses to uphold and defend the Constitution of the United States, shall be privileged to become, or continue to be, a member of the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 9. The terms of membership and the requirements for holding office in the Polish Legion of American Veterans, U.S.A., shall be in accordance with P.L. 98-372.

Sec. 2. Par. 1. There shall be but five (5) forms of membership. These shall be:

- a. - Active Membership
- b. - Active National Life Membership
- c. - Active State Department Life Membership
- d. - Active Post Life Membership
- e. - Honorary Membership

Sec. 2. Par. 2. The National Department (National Executive Committee) shall control and administer their respective Active National Life Membership Program. The criteria for the National Department Active Life Membership Program shall be hereinafter provided in the National Department Standing Rules. Applications, if necessary, shall be made available by and procured from the National Adjutant.

- a. Past National Commanders, by virtue of their tenure in the highest office of the Polish Legion of American Veterans, USA, for a full term, shall be granted Active National Life Membership in this organization, and, they shall be exempt from the payment of annual dues at their Post, State Department and National levels.
- b. Active National Life Members shall be exempt from the payment of annual dues at the Post, State Department and National levels.

Sec. 2. Par. 3. The criteria for State Departments and Posts for Active Life Membership shall be as hereinafter provided:

- a. State Departments having a Member-at-Large Post, and local Posts, at their discretion, with the approval of the State Department, may establish Active Life Membership Programs from within their own membership.
- b. State Departments and Posts shall control and administer their respective Active Life Membership Programs.

Sec. 2. Par. 4. The establishment of such Active State Department Life Membership, shall not in any way affect the amount of annual dues payable to the National Department for each such Active Life Member and the establishment of such Active Life Membership by a Post with the approval of the State Department, shall not in any way affect the amount of annual dues payable to the National Department and the State Department for each such Active Life Member.

Sec. 2. Par. 5. Honorary Members may be admitted on the following basis:

**A. NATIONAL DEPARTMENT**

- a. The President and the Vice President of the United States of America on assumption of their respective offices by vote of the National Executive Committee.
- b. The members of the President's Cabinet and National Legislative Body by vote of the National Executive Committee.
- c. Persons performing outstanding service in States in which the P.L.A.V. does not operate or service to veterans in such States, may be given Honorary Membership by vote of the National Executive Committee.
- d. An appropriate Honorary Membership Card shall be issued on an annual basis recognizing such person as an Honorary Member of the Organization.

**B. STATE DEPARTMENT**

- a. Governors of the States in which the P.L.A.V. operates, by the State Executive Committee within such State.
- b. The members of the Governor's Cabinet and State Legislative Body, by vote of the State Executive Committee within such State.
- c. Persons performing outstanding service in the State or to veterans in the State may be given Honorary Membership by vote of the State Executive Committee within such State.
- d. An appropriate Honorary Membership Card shall be issued on an annual basis recognizing such person as an Honorary Member of the Organization.

Sec. 2. Par. 6. The right to attend, to vote or the right of expression at any regular or special meeting or session of any Convention of any echelon within the Polish Legion of American Veterans, U.S.A., shall be exclusively limited to active, regular members, excepting, however, guests or public officials may, on proper invitation, appear at meetings or Conventions to address such groups.

Sec. 3. Par. 1. No person shall be a member of more than one Post at any one time.

Sec. 3. Par. 2. Any member in good standing may transfer from one Post to another, providing, said member obtain approval from the new Post to which they plan to transfer. Such member shall not be eligible for any elective office or for the privilege of representing the transferee Post at the State or National Conventions for a period of three (3) months from the date of transfer.

Sec. 3. Par. 3. Newly admitted members shall not be eligible for any elective office or for the privilege of representing the Post at the State or National Conventions for a period of six months from the date of admission, but otherwise shall have the same rights and privileges as other members, provided, however, that this provision shall not be applicable to the newly organized Posts during the first year of their existence.

Sec. 4. All duly assessed dues shall be payable annually by every member of Polish Legion of American Veterans, U.S.A., provided, however, that Honorary Members shall not be required to pay any dues.

Sec. 5. Par. 1. The National Department shall maintain a Membership-at-Large Post, which shall be administered as herein provided.

Sec. 5. Par. 2. Membership of the Membership-at-Large Post shall be restricted to veterans who desire a membership in the P.L.A.V., U.S.A. and who reside in States where no State Departments and/or Posts exists.

Sec. 5. Par. 3. The prospective new members to the Membership-at-Large Post must have been sponsored by an active member of the P.L.A.V., U.S.A. and must submit a photo-static copy of their honorable discharge or separation from service to the National Adjutant.

Sec. 5. Par. 4. Annual dues to the National Membership-at-Large Post shall be established at a National Convention and shall be paid directly to the National Department.

Sec. 5. Par. 5. Such portion of dues of the Membership-at-Large Post in excess of the annual per capita due to the National Department, shall be maintained in a separate fund and expended solely for the purpose of establishing new Posts in States where no P.L.A.V., U.S.A. Posts exist.

Sec. 6. Par. 1. A State Department may, at its discretion, establish one (1) Membership-at-Large Post within the legal boundaries of its State. This Post shall be administered by the State Executive Committee.

Sec. 6. Par. 2. Membership in the State Department Membership-at-Large Post shall be restricted to eligible veterans desiring membership in the Polish Legion of American Veterans, U.S.A., residing in the State, but living in Counties where no Post or Posts presently exist.

Sec. 6. Par. 3. Prospective members of the State Department Membership-at-Large Post shall be sponsored by an active member of the Polish Legion of American Veterans, U.S.A., and must submit a photo-static copy of their honorable discharge or honorable release from active duty to the State Adjutant or to the officer designated by said State Department prior to being accepted and granted membership.

Sec. 6. Par. 4. Dues to the State Department Membership-at-Large Post shall be determined by the State Convention, provided, however, that the amount of annual dues which shall be due to the National Department for each member shall not in any manner be affected by the decision of the State Convention or the State Department.

Sec. 6. Par. 5. The State Department Membership-at-Large Post shall be bound by all existing provisions of this National Constitution and its By-Laws as relating to local Posts, excepting those provided for in this ARTICLE.

### **ARTICLE III ORGANIZATION**

Sec. 1. The Polish Legion of American Veterans, U.S.A., shall be organized with a National Department, Zones, State Departments, and under these Departments, local Posts.

Sec. 2. The National Department shall be composed of officers, hereinafter, described, Directors, and such other members as the National Convention may specify.

Sec. 3. For administrative purposes there shall be three (3) Zones, as follows:

**Zone I:** Shall be comprised of all States east of the Ohio River and the Appalachian Mountains and the center time zone and shall include the State of Pennsylvania and North and Southern boundaries shall be from the Canadian border to the Gulf of Mexico.

**Zone II:** Shall be made up of all States east of the Mississippi and Ohio Rivers and shall include the States of Michigan, Indiana and Ohio, to the Gulf of Mexico and all States west of the Appalachian Mountains in the Central Time Zone.

**Zone III:** Shall include Wisconsin, Illinois and all States west of the Mississippi River between Canada and Mexico.

Sec. 4. The State Department shall be composed of officers elected at the State Convention and representatives selected by the Posts under its jurisdiction.

Sec. 5. Local Posts shall be chartered by the National Department and administered by the State Department, but shall be governed locally by their own officers chosen according to their Constitution and By-Laws.

### **ARTICLE IV NATIONAL CONVENTION**

Sec. 1. A National Convention shall be held biennially (every two years) at a time and place determined by the Convention held no less than two years previously and shall constitute the supreme legislative body of the Polish Legion of American Veterans, U.S.A. The decisions and the enactment of the National Convention within the scope of this Constitution and By-Laws shall be the highest authority in the organization and shall be binding on all members. The National Convention shall, also, constitute the highest judicial tribunal over the controversies of serious nature that may arise within the organization.

Sec. 2. The members of the Convention shall consist of the following, to-wit:

- a. Delegates elected by the individual Posts. All Posts shall be entitled to representation in proportion to their membership. Each delegate or his duly qualified alternate shall have the right to vote.
- b. Past National Commanders, by virtue of their past high office, shall have the privilege of being delegates to all National Conventions with the right to vote.

- c. All elective National Officers and the appointed National Executive Officers, as listed in Sec. 3. Par. 1., A., of Article V, of this Constitution, by virtue of their offices shall be delegates to the National Convention, with the right of voice and vote
- d. All appointed National Operations Officers, as covered in Sec.3. Par. 1., B., Sec. 3. Par. 2., and, Sec. 3. Par. 3. of Article V, of this Constitution, may, of their own volition, attend the National Convention, provided, however, they shall have a voice, but no vote, unless they are elected delegates from their respective Posts. In addition, they shall not be entitled to any remuneration of expenses for travel and lodging unless specifically being directed to attend said National Convention at the invitation of the National Commander or the National Executive Committee.
- e. Retiring State Commanders, by virtue of this past office, shall have the privilege of being delegates, with the right to vote, to the National Convention immediately following their term of office, excepting, however, where a State Department has a Biennial State Convention, then in that event the State Commander in office at the time of the National Convention shall be a delegate to the National Convention and with a right of vote.

Sec. 3. A majority of delegates entitled to vote shall constitute a quorum.

Sec. 4. A Special National Convention shall be called by the National Department upon written request of two-thirds (2/3) of all Posts. Time and place of the Special Convention shall be decided by the Posts by means of referendum. Duly elected delegates to the last regular Convention or their duly elected substitutes and all others enumerated in Section 2, above, shall constitute the membership of the Special Convention. Special Convention shall be called only on matters of extreme importance and only the matters for which the Special Convention is called shall be considered at such a Convention.

Sec. 5. Par. 1. No delegate of an accredited Post or Department shall be seated at the National Convention unless his respective Post or Department shall be fully paid up in all its accounts with the National Department and its accounts and membership shall be certified as of 30 days prior to the opening date of the National Convention. No Post or Department delegate or alternate shall be permitted to register as such delegate or alternate without a membership card or other satisfactory evidence identifying him as a member of the Post or Department from which he is registering.

Sec. 5. Par. 2. Mandates for Convention delegates may be forwarded directly to Posts by the National Department. In turn, mandates will be forwarded to their respective State Departments for certification of the current fiscal year. Mandates shall then be forwarded to the National Department. Delegate mandates shall not be deem valid at the National Convention, nor the delegate seated at the National Convention, unless such mandate shall bear certification of his State Department Finance Officer.

Sec. 6. Par. 1. The Polish Legion of American Veterans, U.S.A. recognizes a subsidiary organization known as the National Convention Corporation of the Polish Legion of American Veterans, U.S.A.

Sec. 6. Par. 2. The National Convention Corporation shall be governed by a Code of Regulations, which shall be enacted for it by the National Convention.

Sec. 6. Par. 3. Authority is hereby given to the State Departments to authorize and create subsidiary organizations of similar scope and nature of State Department Conventions

## **ARTICLE V OFFICERS**

Sec. 1. The National Convention shall elect a National Commander, National Vice-Commander, National Treasurer and one (1) Director of the National Convention Corporation.

Sec. 2. Par. 1. State Department Commanders shall act as National Directors and shall attend meetings of the National Executive Committee. The Department Commander in office at the time of the N.E.C. meeting shall be entitled to attend such N.E.C. meeting.

Sec. 2. Par. 2. State Department Commanders, who are unable to attend an N.E.C. Meeting, shall notify the National Commander in writing, prior to the date of said meeting, as to the individual that will represent the State Department Commander at that meeting. This Representative may be either the State Department First Vice Commander, the State Department Adjutant or the Immediate Past State Commander.

Sec. 3. Par. 1. The National Commander shall within thirty (30) days after the National Convention, and subject to concurrence by the National Executive Committee, appoint the following officers, to-wit:

### A. NATIONAL EXECUTIVE OFFICERS

- a. National Judge Advocate
- b. National Legislative Director
- c- National P.L.A.V., U.S.A. News Editor
- d. National V.A.V.S. Director
- e. National Membership Director
- f. National Service Director

### B. NATIONAL OPERATIONS OFFICERS

- a. National Quartermaster, with the advice and consent of the National Treasurer.
- b. National Membership Deputy Director, with the advice and consent of the National Membership Director.

Sec. 3. Par. 2. The National Commander may, at his discretion, subject to concurrence of the National Executive Committee, appoint the following National Operating Officers, to wit:

- a. National Chaplain, who shall be a Clergyman of any faith.
- b. National Sergeant-at-Arms

Sec. 3. Par. 3. The National Commander, subject to concurrence by the National Executive Committee, shall, by appointment, fill the following position, which shall not be considered to be a National Officer, per say, to wit:

- a. National V.A.V.S. Deputy Director, duties delegated to the office of the National Service Director.
- b. National Archives Director

Sec. 3. Par. 4. The National Department (National Executive Committee) shall control and administer the selection of the National Adjutant whose term in office shall be deemed permanent as provided in the National Department Standing Rules.

Sec. 4. Par. 1. The term of office of all National Elective Officers shall commence immediately upon adjournment of the National Convention and shall continue until new officers are elected and qualified at the next regular National Convention.

Sec. 4. Par. 2. Directors of the National Convention Corporation shall assume the duties of their office at the first National Executive Committee meeting following the convention at which they were elected.

Sec. 4. Par. 3. The term of Appointive Officers shall commence upon the concurrence of appointments by the National Executive Committee and will continue until removed from office for cause or new officers appointed by a new incoming administration.

Sec. 4. Par. 4. All Elected and Appointed National Officers shall render an oral report of their activities when present at an N.E.C. Meeting. They shall have prepared said report in writing prior to such N.E.C. Meeting with sufficient copies for distribution to the National Adjutant and the National P.L.A.V., U.S.A. News Editor. Should an Elected or Appointed National Officer be unable to be present at an N.E.C. Meeting, or not invited, they shall provide the National Adjutant with two copies of a written report not less than twenty (20) days prior to the schedule date of that meeting.

Sec. 4. Par. 5. Should an Elected or Appointed National Officer be forced to cancel plans to be present at an N.E.C. Meeting due to unforeseen circumstances, they shall submit a written report to the National Adjutant not more than ten (10) days following the date of said meeting.

Sec. 5. Any National Officer may receive compensation for their activities on behalf of the organization. The amount of such compensation may be determined at the National Convention or, in absence thereof to be determined by the National Executive Committee.

Sec. 6. CHAPLAINS: Any State Department or Post may appoint a non-veteran, who shall be a Clergyman, of any faith, to serve as its Chaplain. Said Chaplain shall be an Honorary Member of said State Department or Post.

## **ARTICLE VI NATIONAL DEPARTMENT**

Sec. 1. The administrative power between National Conventions shall be vested in the National Executive Committee, which shall constitute and be known as the National Department.

Sec. 2. Par. 1. The National Department shall be composed of the elective National Officers; the appointed National Executive Officers. The National Directors (State Commanders); Past National Commanders; and, such other members, if any, as the National Convention shall specify, all of whom, shall have the right of voice and vote on all matters coming before that body.

Sec. 2. Par. 2. The appointed National Operations Officers, may, of their own volition, attend National Executive Committee Meetings, and, when present, shall have both voice and vote on all matters coming before that body, provided, however, they shall not be eligible for any remuneration of expenses for travel and lodging unless specifically, directed or invited to attend said N.E.C. Meeting or Meetings by the National Convention, the National Commander or the National Executive Committee.

Sec. 3. The National Commander shall preside over National Conventions and the National Executive Committee Meetings, but, shall vote only in the event of a tie, excepting, however, Said Officer may vote in the secret ballot elections of the National Officers, held at the National Convention or at an N.E.C. Meeting.

Sec. 4. The National Department shall be the official representative of the Polish Legion of American Veterans, U.S.A.

Sec. 5. It shall be the duty of the National Department to advance the cause of the Polish Legion of American Veterans, U.S.A., carry out its aims and purposes and carry out the national policies and plans of the entire organization, as established by the National Convention.

Sec. 6. The National Executive Committee shall meet two (2) times during the interval between National Conventions and on call of the National Commander whenever he deems such as necessary.

Sec. 6. Par. 1. When determining a site for an N.E.C. Meeting, the National Commander shall choose the site for the next N.E.C. meeting on a rotating basis so that no undue preference is shown to any particular State Department.

Sec. 6. Par. 2. Where in the judgement of the National Commander and confirmed by the N.E.C., the rotation may be suspended, for good cause shown

## **ARTICLE VII STATE DEPARTMENTS**

Sec. 1. The State Departments shall be chartered by the National Department in accordance with provisions of the Constitution and By-Laws of the Polish Legion of American Veterans, U.S.A. It shall be the duty of State Departments to aid in organization and maintenance of local Posts and to carry out the policies and plans delegated to it by the National Department, and to adhere to the provisions of this Constitution and By-Laws and decisions of the National Convention.

Sec. 2. State Executive Committee shall be composed of such elective officers and elective representatives of local Posts under its jurisdiction as shall be provided for in the Constitution and By-Laws of the individual State Departments. The Executive Committee shall be the administrative body of the Department and shall be known as State Department of that particular State.

Sec. 3. The Elective Officers of the State Department shall be elected at the State Convention by the elected delegates, or their duly qualified alternates, of local Posts, belonging to the State Department. All Posts shall be entitled to representation in proportion to their membership.

Sec. 4. Post representatives in the State Department shall be elected by local Posts in accordance with the provisions of the Constitution and By-Laws of each State Department.

Sec. 5. Par. 1. State Conventions shall be held annually or biennially at time and place designated by the previous Convention. In the event such decisions were not made at the previous Convention, the State Department shall designate the time and place for the State Convention, provided, however, that no State Convention may be held within thirty (30) days of a National Convention.

Sec. 5. Par. 2. Quorum at State Conventions shall consist of delegates from a majority of the Posts under the jurisdiction of that State Department.

Sec. 6. State Conventions shall have the authority to determine the amount of dues to be paid by every member of the Posts under its jurisdiction for the purpose of maintenance of the individual State Departments, provided, however, that the amount of annual dues which shall be due to the National Department for each member of this organization shall not be in any manner affected by the decisions of any State Convention.

## **ARTICLE VIII LOCAL POSTS**

Sec. 1. Local Posts may be formed by any ten (10) eligible individuals by making application to the local State Department, and if there be no State Department, directly to the National Department. If the State Department approves, the application shall be forwarded to the National Department and a Charter shall be issued.

Sec. 2. Local Posts shall be subject to the jurisdiction of the National Department and the State Department, and any provisions of a State Department Constitution or a local Post Constitution conflicting with or contrary to the provisions of the National Constitution shall be null, void, and of no effect. The policies, activities and actions of the local Posts must never be at variance with those prescribed by the National Department.

Sec. 3. Election of officers in local Posts shall be held no later than September 30th, of the year in which the election is held.

Sec. 4. Par. 1. No Post shall disband or merge with another Post without proper authorization from its State Department or, if there be no State Department, from the National Department.

Sec. 4. Par. 2. In the event a Post is disbanded or its Charter duly revoked for cause, its Charter and such other official documents as the State or National Commander desires shall become the property of the State or National Department, whichever applies.

Sec. 4. Par. 3. If a Post becomes inactive, defined herein as not holding a Post meeting for six (6) successive months, the assets of said Post shall come under the control of the respective State Department. Said State Department shall then expeditiously determine whether said Post has been or should be disbanded.

Sec. 4. Par. 4. No Post shall dispose of any of its assets in contemplation of disbanding, burning or revocation of its charter. The respective State Department shall assume immediate control of said Post assets pending a State Department hearing regarding the intent of said Post. Any Post that disposes or contemplates disposing of a substantial part of its assets so as to materially weaken the existence of said Post for the purpose for which it was organized, immediately subjects said Post assets to the control of the State Department. The State Department shall hold a hearing in order to determine the intent of said Post, and all members of said Post shall be duly notified no later than 30 days prior of said hearing, the State Department may determine that said Post is to be disbanded or that its charter be duly revoked.

Sec. 4. Par. 5. The assets of a disbanded Post or a Post whose charter has been duly revoked shall become the property of the respective State Department, except that any money due the National Department shall first be paid from said assets, if any.

Sec. 5. Annual membership dues to local Posts shall be determined by the individual local Posts at the last meeting of the preceding fiscal year, provided, however, that the amount of annual dues which shall be due to the National Department and State Department for each member of the subject Post may not in any manner be altered or otherwise modified by any action of the subject Post.

## **ARTICLE IX FINANCES**

Sec. 1. Par. 1. All finances of the Polish Legion of American Veterans, U.S.A., shall be under the supervision of the National Treasurer. Said Officer shall be responsible for keeping all necessary and proper records of all income and expenditures of the National Department.

Sec. 1. Par. 2. The entire property of the Polish Legion of American Veterans, U.S.A., shall be under the supervision of the National Treasurer. The National Treasurer shall receive all proceeds from National dues directed to Said Officer by the National Membership Director, and upon receipt thereof, Said Officer shall deposit all such funds in such bank or banks as shall be designated by the National Executive Committee.

Sec. 1. Par. 3. All vouchers, checks, and money drafts, and other financial obligations of the Polish Legion of American Veterans, U.S.A., approved by the National Department, shall be signed by any two (2) of the following: the National Commander, the National Treasurer, the National Vice Commander, or, the National Quartermaster.

Sec. 1. Par. 4. Both the National Membership Director and the National Treasurer shall make their annual reports at the National Convention and shall render such other reports as may be required of them by the National Department.

Sec. 1. Par. 5. The National Membership Director shall release Membership Cards to a State Department when at least fifty per cent (50%) of the previous year's dues is paid.

Sec. 2. Revenue shall be derived from annual membership dues, as hereinafter provided, and from other sources approved by the National Department.

Sec. 3. Par. 1. Regulation of annual membership dues to National Department or special assessments on membership of this organization shall be by the National Convention, provided, however, that an affirmative vote of two-thirds (2/3) of all votes cast shall be necessary to change existing annual membership dues or special assessments; or to establish new dues or special assessments.

Sec. 3. Par. 2. A proposed change in annual membership dues shall have been submitted to the National Adjutant, via First Class Mail, postmarked not less than ninety (90) days prior to the convening of the next National Convention. The National Adjutant shall then submit such dues increase proposal to all National Officers, State Departments and local Posts, via First Class Mail, postmarked not less than sixty (60) days prior to the convening of such National Convention. A change in annual membership dues may, however, be implemented at any National Convention, without notice, by a unanimous vote of the delegates present and voting.

Sec. 3. Par. 3. A change in annual membership dues to the National Department shall not be implemented for a period of one hundred –eighty (180) days after approval or the next membership year.

Sec. 3. Par. 4. Regulation of annual membership dues to State Departments or special assessments shall be by State Conventions, provided, however, that an affirmative vote of two-thirds (2/3) of all votes cast shall be necessary to change existing dues or special assessments; or to establish new dues or special assessments.

Sec. 3. Par. 5. Annual dues to local Posts shall be determined by individual local Posts at their annual meeting provided, however, that an affirmative vote of two-thirds (2/3) of all votes cast shall be necessary to change existing dues or special assessments, or to establish new dues or special assessments.

Sec. 4. The fiscal year of this organization shall commence on September 1st and end on August 31st of the following calendar year. The annual membership fee shall cover the fiscal year.

## **ARTICLE X ELECTIONS, VOTING AND VACANCIES**

Sec. 1. Par. 1. Preceding the National Convention, the National Commander shall appoint a Nomination and Balloting Committee of not less than four (4) persons who shall take charge of issuance of ballots as provided herein and collection of said ballots. Such Committee is also referred to as the Balloting Committee, and shall officially tabulate results of voting by totaling the ballots returned from each State Department. Such Committee shall make its report without delay and shall turn over all ballots and tally sheets to the Secretary of the Convention for permanent record purposes.

Sec. 1. Par. 2. Chairman of the Balloting Committee shall appoint Balloting Inspectors in a number sufficient for assignment of one (1) Inspector for each voting State Department. The Balloting Inspectors shall be the State Commander or Said Officer's designated Alternate from a State Department other than the one to which they are assigned as an Inspector. The Balloting Inspectors shall observe entirely the voting procedure within the voting State Department. They shall be responsible for delivery of voted ballots to the Balloting Committee.

Sec. 2. Par. 1. At a time appointed in the Convention Order of Business and/or the Rules of Procedure the Balloting Committee shall issue such official ballots to the Balloting Inspectors assigned to such voting State Department. Such official ballots shall be issued in the number of delegates reported in the last report of the Registration Committee, except that no more ballots may be issued than there are delegates present within such voting State Department delegation at the time balloting shall commence.

Sec. 2. Par. 2. Names of the candidates being voted upon shall appear printed legibly on a blackboard of sufficient size to be easily read by the seated delegates. Such blackboard shall be situated on the Chairman's platform or stage. Printed names of candidates shall be arranged in a single column and shall be consecutively numbered, beginning with number one (1).

Sec. 2. Par. 3. Ballots should be marked secretly by each delegate by writing the number of the candidate of their choice on the delegate's own ballot. No delegate may so mark more than their own ballot. Ballots mark contrary to any of the paragraphs herein shall be brought to the attention of and may be voided by the Balloting Committee without replacement.

Sec. 2. Par. 4. Balloting Inspectors shall collect ballots after a vote has been registered within the State Department Delegation. Such Balloting Inspector shall without delay deliver all ballots to the Balloting Committee. Balloting Committee shall record the votes on tally sheets provided and deliver all ballots and tally sheets to the Secretary of the Convention.

Sec. 3. Par. 1. Each elective office, of this organization, shall be filled by an Active or Active Life Member in good standing, beginning with the National Commander. When the balloting for that office shall have been completed, then, the balloting for the next National Office shall commence, in like manner, following this prescribed order.

- a. National Vice Commander
- b. National Treasurer
- c. One (1) National Convention Corporation Director

Sec. 3. Par. 2. The votes cast by a State Department may be challenged by a member of such delegation prior to delivery to the Balloting Committee and the election in progress shall be suspended, until the members of such delegation are individually polled.

Sec. 4. Par. 1. A candidate for a National Elective Office must be present to accept nomination for such office or must have given personal assent to such nomination in writing.

Sec. 4. Par. 2. A candidate for National Elective Office must have been an active paid-up member within the candidate's own State Department for at least three (3) immediately preceding years.

Sec. 4. Par. 3. A member, with the exception of the National Commander, may hold one (1) elective office on the National, State or Post level at the same time, but the member may hold one (1) elective office at each level and one (1) or more appointed offices. A member may hold one (1) elective office and one (1) or more appointed offices at the same level would be entitled to one vote.

Sec. 4. Par. 4. At their initial election, officers of National Department, State Department and local Posts shall be elected by the majority of all votes cast at such elections. In the event none of the candidates receives a majority vote on the first ballot, the voting shall be repeated and only the names of the two leading candidates shall be placed on the ballot.

Sec. 5. Par. 1. National Commanders and State Commanders may succeed themselves in the office, provided, however, that to be re-elected such candidate must receive two-thirds (2/3) vote of all votes cast and the candidates for Post Commander shall receive a simple majority of all votes cast at such election. If there be no such majority on the first ballot, the name of the unsuccessful candidate shall be eliminated from the ballot and the voting shall be repeated on the remaining candidates, and the election shall be conducted according with Sec. 2., above.

Sec. 5. Par. 2. State Commanders may succeed themselves in the office, providing, however, that to be re-elected such candidate must receive two-thirds (2/3) vote of all votes cast at such election. If there be no such majority on the first ballot, the name of the unsuccessful candidate shall be eliminated from the ballot and the voting shall be repeated on the remaining candidates, and the election shall be conducted according to Section 2, of this Article. If only one (1) candidate remains on the ballot after the first ballot, nominations for the office of State Commander may be re-opened by proper motion, which shall be subject to a simple majority of votes cast on the question.

Sec. 5. Par. 3. The incumbent National and State Commanders having been eliminated under the provisions of this Article, shall not be eligible for re-nomination for the offices of National Commander or State Commander, respectively, in this election.

Sec. 5. Par. 4. Post Commanders may succeed themselves in office by receiving a simple majority of all votes cast at such election.

Sec. 6. Par. 1. If vacancies shall exist in the office of the National Commander, the National Vice- Commander shall become the National Commander. If there be no National Vice- Commander at that time, then a National Commander shall be elected by the National Executive Committee from its membership.

Sec. 6. Par. 2. Vacancies in any other National Office, of this organization, shall be filled by the National Department electing any Active or Active Life Member, in good standing within the organization, to such office.

Sec. 6. Par. 3. Same procedure as outlined in Par. 1 and 2 shall be followed in filling vacancies in the State Department and local Posts.

Sec. 7. Par. 1. The method by which a vote requiring ratification by a two-thirds (2/3) majority, of the delegates present and voting, shall be determined by the tellers, selected and appointed, from each side of the question being considered, to via a formal division of the National Convention Floor, to exact the tally of all votes cast, for and against said question. Each such teller shall take a separate and concurring count and shall report their count to the Credentials Committee, of said National Convention.

Sec. 7. Par. 2. The National Convention Credentials Committee shall determine the exact tally of all votes cast, for and against the question at hand, and shall then report the official count from the tellers to the National Convention Floor, after which, the Convention Chairman shall state whether or not the two-thirds (2/3) majority has been attained.

## **ARTICLE XI DISCIPLINE**

Sec. 1. Par. 1. Members may be suspended or expelled from the Polish Legion of American Veterans, U.S.A. upon a proper showing of cause. Charges shall be based upon disloyalty, neglect of duty, dishonesty or conduct unbecoming a member of the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 2. Each local Post shall be the judge of its own membership, subject to the provisions of the National Department Constitution and By-Laws, provided however, a local Post or its State Department, by a two-thirds (2/3) vote of its membership, present and voting, at a regular scheduled meeting, may reprimand, penalize, deny transfer, suspend or expel a member, using the following infractions as a guideline:

- a. Flagrant and serious infractions of the statutes and rules of the Post and State Department.
- b. Conduct contrary to the maintenance of proper order and decorum within the organization.
- c. Failure to comply with lawful orders or to accept and carry out properly imposed penalties.
- d. Resorting to or joining in civil court action against the National Department, the State Department, the local Post or any Auxiliary Units, without exhausting all available avenues and remedies within the Polish Legion of American Veterans, U.S.A.
- e. Subjecting any officer of the National Department, the State Department, or any officer or member of the local Post to harassment, whether in writing, via the telephone or E-Mail and/or in person, where proof of such exists, either by civil complaint or a eye witnesses written statement.

- f. Any infraction that necessitates removal from any facility or meeting of the Polish Legion of American Veterans, U.S.A. by civil law enforcement officers.
- g. The failure to return any funds, properties and office paraphernalia to the Commander as directed, an action, which in its self may also subject said member to pending criminal action.
- h. Adding to the existing problems by contributing to and/or supporting any offenses of an accused or discipline member.

Sec. 1. Par. 3. Any member subject to discipline under the guidelines of Sec. 1. Par. 2. of this ARTICLE may be denied a transfer from one Post to another. Information concerning the reason for such denial and the circumstances that precipitated it, shall be directed in writing, to other respective Posts and Auxiliary Units within the State Department. A copy of such shall be directed to the National Department, via the National Judge Advocate.

Sec. 1. Par. 4. Any member, expelled in accordance with the provisions of this ARTICLE and the guidelines of its Sec. 1. Par. 2., shall forfeit all rights and privileges, be permanently removed from the active membership rolls and be barred from any further associations of any nature within this organization to include the wearing, any logo, patch, pin, cap, or uniform of the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 5. Any member who has been suspended or expelled has the right to appeal to their State Department or State Department Convention, according to the provisions in the Constitution or By-Laws of that particular State Department. The decision of the State Department shall be final.

Sec. 2. Disciplinary rules relating to local Posts shall be prescribed and administered by their State Department. Decisions of State Departments in this respect may be appealed by an affected Post, to the National Department. The decision of the National Department shall be final.

Sec. 3. The National Department, after notice and hearing before a sub-committee duly appointed for that purpose, may cancel, suspend or revoke the Charter of any State Department for good and sufficient cause to it appearing. In the event of such action the National Department is empowered to take over the operation of the Department, but is bound by the Constitution and By-Laws thereof, At the next Department Convention, new Department officers must be elected to carry on the work of that Department.

## **ARTICLE XII AUXILIARIES**

Sec. 1. Par. 1. The Polish Legion of American Veterans, U.S.A. recognizes the organization known as Ladies Auxiliary of the Polish Legion of American Veterans, U.S.A.

Sec. 1. Par. 2. Membership in the Auxiliary is limited to the following, to-wit: Mothers, wives, widows, daughters, grand-daughters, sisters, and nieces of regular members of Polish Legion of American Veterans, U.S.A. and of veterans who are eligible to membership under Article II, Section 1 and 2.

Sec. 1. Par. 3. The Ladies Auxiliary shall be governed by such rules and regulations as shall be prescribed by the By-Laws of the Polish Legion of American Veterans, U.S.A.

Sec. 2. Par. 1. The Polish Legion of American Veterans, U.S.A. recognizes the organization known as Sons of the Polish Legion of American Veterans, U.S.A.

Sec. 2. Par. 2. Membership in the Sons Auxiliary of the Polish Legion of American Veterans, U.S.A., shall be limited to sons, grandsons, adopted sons and grandsons, stepsons and step grandsons of regular members of the Polish Legion of American Veterans, U.S.A., and such male descendents of veterans died in service, or, who died subsequent to their honorable discharge from such service.

Sec. 2. Par. 3. The Sons Auxiliary of the Polish Legion of American Veterans, U.S.A. shall be governed by such rules and regulations as shall be prescribed by the By-Laws of the Polish Legion of American Veterans, U.S.A.

Sec. 3. Par. 1. The Polish Legion of American Veterans, U.S.A. shall recognize the organization known as Gold Star Mothers Auxiliary solely as an honorary group.

Sec. 3. Par. 2. Members of the Gold Star Mothers Auxiliary shall be comprised of regular members of the Ladies Auxiliary of the Polish Legion of American Veterans, U.S.A.

Sec. 3. Par. 3. The Gold Star Mothers Auxiliary shall be governed by the rules and regulations prescribed by the Ladies Auxiliary or State Department of the Polish Legion of American Veterans, U.S.A. whichever the governing body in the respective State.

Sec. 4. Par. 1. The Polish Legion of American Veterans, U.S.A. recognizes the organization known as the Daughters and Granddaughters of the Polish Legion of American Veterans, U.S.A.

Sec. 4. Par. 2. Membership in the Daughters and Granddaughters of the Polish Legion of American Veterans, U.S.A. shall be limited to daughters, granddaughters, adopted daughters and granddaughters, step daughters and step granddaughters of regular members of the Polish Legion of American Veterans, U.S.A. and such female descendents of veterans who died in service, or who died subsequent to their honorable discharge from such service.

Sec. 4. Par. 3. The Daughters and Granddaughters of the Polish Legion of American Veterans, U.S.A. shall be governed by such rules and regulations as shall be prescribed for it by the National Convention and the National By-Laws of the Ladies Auxiliary of the Polish Legion of American Veterans, U.S.A.

### **ARTICLE XIII AMENDMENTS TO CONSTITUTION**

Sec. 1.- This Constitution may be amended at any National Convention by a two-thirds (2/3) majority vote of the total authorized delegates present on the floor, provided, that the proposed amendment shall have been submitted to the National Adjutant, postmarked at least (90) days prior to the convening of the next National Convention, and shall have been submitted by the National Adjutant to all State Departments and the National Judge Advocate by mail, postmarked at least sixty (60) days prior to such National Convention. This Constitution may, however, be amended by any National Convention without notice, by unanimous vote.

Sec. 2. - No proposed amendment to this Constitution shall be considered by the National Convention as provided in Sec. 1. Of this Article, unless such proposed amendment shall have been submitted through the National Adjutant to the National Convention, by a Post at its respective State Executive Committee Meeting or State Convention, by a State Department in its State Executive Committee Meeting or at its State Convention or by the National Department at a National Executive Committee Meeting.

**PART II**  
**BY-LAWS**  
**Polish Legion of American Veterans**  
**U.S.A.**

**ARTICLE I**  
**Functions of the National Department**

Sec. 1. The National Department shall hold the number of meetings as prescribed in Sec. 6. of Article VI, of the National Constitution, during the interval between National Conventions and such other special meetings as may be called by the National Commander, provided, however, that each member of the National Department shall be duly notified thereof in sufficient time to enable such member to attend such meeting.

Sec. 2. A majority of the members of the National Department shall constitute a quorum.

Sec. 3. The National Commander shall appoint, subject to approval by the National Department, such permanent National Committees as shall be hereinafter provided, and such other Committees as Said Officer shall deem necessary and proper for the good of the organization.

Sec. 4. The National Department shall have the authority to prescribe such administrative regulations for the entire organization as it shall deem necessary, and all State Departments and local Posts shall be obliged to comply therewith.

**ARTICLE II**  
**Duties of National Officers and Directors**

Sec. 1. National Commander: The National Commander, hereafter referred to as "Said Officer", shall be the executive head of the Polish Legion of American Veterans, U.S.A. with full power to enforce the provisions of the National Constitution, National By-Laws and the will of the National Convention. Said Officer shall be the Chairman of the National Convention and National Executive Committee. Said Officer, shall at least ninety (90) days in advance thereof, issue an official proclamation of the National Convention, announcing the date and place thereof and directing the local Posts to elect proper delegates thereto. Said Officer shall, together with other Officers provided for in the Constitution, sign all checks and vouchers disbursing the funds of the National Organization. Said Officer shall, during Said Officer's term of office, hold in Said Officer possession a copy of the Organization's "Not for Profit Corporation Charter" and all surety bonds of National Officers who are required to post such bonds, Said Officer, shall appoint all necessary Committees where not otherwise provided, subject to the ratification of the National Executive Committee and shall perform such other duties as are usually incident to the Office."

Sec.2. National Vice- Commander: The National Vice-Commander, hereafter referred to as “Said Officer,” shall act as representative of the National Commander in all matters referred to Said Officer by the Commander, and shall, upon the Commander’s request, preside over the meetings of the National Convention or National Executive Committee. Said Officer shall further, when directed to do so by the National Commander or the National Executive Committee, sign all checks and vouchers disbursing the funds of the National Organization. Said Officer shall have the responsibility of handling the National Department Annual Drawings. Said Officer shall be in charge of the Americanism and Youth Programs of the Polish Legion of American Veterans, U.S.A. and shall have the duty of promoting and advancing American ideals and programs of a civic and patriotic nature. Said Officer shall coordinate, promote and direct all athletic and sports programs within the Polish Legion of American Veterans, U.S.A. with particular attention to programs affecting State Departments and Zones. Said Officer shall be the Liaison Representative to the Ladies Auxiliary and Sons Auxiliary Unit. Said Officer shall also formulate, promote and activate the National Youth Program of the Polish Legion of American Veterans, U.S.A. and perform such other duties as prescribed by the National Commander and which are usually incident to the Office.

Sec. 3. National Membership Director. The National Membership Director hereafter referred to as Said Officer, is a National Executive Officer, appointed by the National Commander shall have a basic knowledge of computers and of Data Base and Word Processing Programs. Said Officer shall have access to the Internet, so as to enable Said Officer to perform any duties that may be required to maintain the Website of the P.L.A.V., U.S.A. Said Officer shall work in concert with the National Membership Deputy Director to ensure that all P.L.A.V., U.S.A. Databases and other information has adequate backup, via disks or the Internet, so as to prevent its loss. Said Officer shall maintain correct records of all payments of annual dues of Active and Active Life Regular Members and Members-at-Large received from State Departments and Posts. Said Officer shall forward all funds received to the National Treasurer for proper deposit. Said Officer shall keep all official records of membership, as well as the correct addresses of all State Departments and local Posts. Said Officer shall prepare statistics of the organization's membership for the National Convention, the N.E.C. Meetings and The National P.L.A.V., U.S.A. News, and, such other reports as may be required by the National Commander or the N.E.C. Said Officer shall be Chairman of the National Membership Committee. Said Officer shall be responsible for control and record of the Membership Card Distribution and dues paid therefore, as well as maintaining a count of such membership cards, making regular reports of their status thereof to the N.E.C. Said Officer shall not release any Membership Cards to a State Department, unless at least fifty per cent (50%) of the previous year’s dues shall have been paid on or before September 1<sup>st</sup> of the Fiscal year. Said Officer shall be in charge of the National Data Base for the Veterans and the Ladies Auxiliary. Said Officer shall be solely responsible for issuing Post numbers to new Posts, and, upon receipt of an Application for a new Charter and dues, shall perform such administrative duties as shall be required, forwarding the processed Application to the National Adjutant for the preparation of said Charter and to the National Commander for its presentation to the Post. Said Officer shall furnish a surety bond, as hereinafter specified, and shall perform such other duties as are prescribed by the National Constitution, or, are incident to the office.

Sec. 4. National Membership Deputy Director: The National Membership Deputy Director hereafter referred to as "Said Officer" is a National Operations Officer, appointed by the National Commander, with the advice and consent of the National Membership Director, shall have a basic knowledge of computers and of Database and Word Processing Programs. Said Officer shall have access to the Internet, so as to permit Said Officer to work in concert with the National Membership Director in maintaining the Website of the Polish Legion of American Veterans, U.S.A. Under the direction of National Membership Director, the Said Officer shall be required to maintain back-up Database data, via disks or the Internet, thereby preventing its loss. All of the duties of this office shall be performed in the complete cooperation with the National Membership Director, with each such officer maintaining close contact at all times, so as to avoid the conflict or duplication of efforts. The National Membership Deputy Director shall develop the Website, of the Polish Legion of American Veterans, U.S.A. Said Officer shall be charged with maintaining the National Data Base of Honorary Members and the membership records of the various Auxiliaries recognized by the Polish Legion of American Veterans, U.S.A., with the Ladies Auxiliary having the sole and distinct responsibility for providing Said Officer and the National Membership Director with the correct and up-to-date names and addresses of its members, for inclusion into the National Data Base for mailing purposes. The National Membership Deputy Director shall maintain accurate records of the payments of National Dues from the Auxiliary Units, of the Polish Legion of American Veterans, U.S.A., with the exception of the Ladies Auxiliary. Said Officer shall forward all funds received, to the National Treasurer for proper deposit. Said Officer shall keep official records of the names and addresses of said Auxiliaries. Said Officer shall be responsible for control and record of the Membership Card Distribution and any National Dues paid thereof, as well as maintaining a strict count of the Membership Cards, making regular reports of their status to the National Convention and the National Executive Committee. Upon the receipt of an Application for a new Charter and dues, Said Officer shall process it and the new Charter. After completing these tasks (obtaining approval for this Auxiliary Unit), Said Officer shall forward the dues to the National Treasurer, send one copy of the Application for said Charter back to the originating State Department, retain one copy for Said Officer's files, and, make arrangements to have the National Commander or appointed Representative present the new Charter and Application to the Auxiliary. The National Deputy Director shall be in charge of all forms, such as, Membership Forms, Financial Statements, Officers Reports, Data Base Membership Forms, Membership Applications and Brochures.

Sec. 5. National Treasurer: The National Treasurer hereafter referred to as "Said Officer" shall be the custodian of the funds and property of the National Organization, shall sign all checks and vouchers disbursing the funds of the National Organization, as provided in the Constitution, and shall make reports concerning the National Treasury to the National Convention and such other reports as may be requested by the National Commander or National Executive Committee. The National Treasurer shall furnish a surety bond as hereinafter specified; and shall perform such other duties as are usually incident to the office.

Sec. 6. National Service Director: The National Service Director hereafter referred to as "Said Officer" is a National Executive Officer, appointed by the National Commander. It shall be Said Officer's responsibility to direct and supervise the service activities of the Polish Legion of American Veterans, U.S.A., subject to the instructions of the National Convention, the National Commander and the National Executive Committee. Said Officer shall advise and inform the State and Post Service Officers of existing veteran's benefits and rights, who in turn shall assist ill, disabled and needy veterans in obtaining them. Said Officer shall assist disabled and physically handicapped veterans, of all wars and conflicts, of the United States, in qualifying for compensation or pension. Said Officer shall assist widows and veteran's dependents in obtaining compensation or pension benefits, death and burial benefits, educational assistance and other miscellaneous benefits. Said Officer shall gather information as to the service activities and programs of the State Departments and Posts for inclusion into the Annual Report, of the P.L.A.V., U.S.A., required by the U.S. Congress under P.L. 98-372.

The National Service Director shall be the National V.A.V.S. Deputy Director. This position shall not be considered to be that of a National Officer and shall have the duties and responsibilities as outlined by the National V.A.V.S. Director with approval of the National Executive Committee and shall also perform any other duties as are incident to the office.

Sec. 7. National Directors (State Commanders): The National Directors (State Commanders) hereafter referred to as "Said Officers" shall be voting members of the National Executive Committee and it shall be their duty to take an active part in managing the affairs of the organization. It shall be the duty of the Said Officers to safeguard the finances and property of the organization. Said Officers shall request financial reports at all N.E.C. Meetings from National Officers responsible for the finances of the organization and shall carefully scrutinize such reports. It shall be the duty of the Said Officers to use their best judgement in performance of their duties as Directors of this organization in all matters that come before them during their term of office, keeping always the best interest of this organization in mind. It shall be the duty of the Said Officers to attend regular and special meetings of the National Department and perform all duties delegated to them by the National Department. Duties of Said Officers assigned to the Audit Committee at the National Executive Committee Meetings shall be strictly limited to auditing books and such other members of this committee shall not be assigned any other items of business for their disposition, pending such audit of financial books. The National Commander with the advice of the Audit Committee Chairman may assign some of the State Commanders to other Committees at National Executive Committee Meetings.

Sec. 8 National Adjutant: The National Adjutant hereafter referred to as "Said Officer", is a National Executive Officer, of the National Department. Said Officer, duties include but not limited to planning, organizing and directing the activities of the National Department Office with the advice and consent of the National Commander and National Executive Committee. Said Officer shall prepare and forward to the Budget and Audit Committee an annual budget for the National Adjutant's Office. Said Officer shall keep the official records of all meetings of the National Department and the National Convention Corporation and shall conduct all official correspondence of the National Department and National Convention Corporation and maintain proper records thereof, and shall be the Secretary of the National Executive Committee Meetings, National Convention Corporation Meetings and the National Convention. Said Officer shall be the custodian of all official National Department Records and other documents prior to sending them to the National Archives for safe storage. Said Officer shall with the aid of the National Commander and other designated National Officers, prepare the organization's Annual Report to Congress forwarding same to the proper authorities prior to the deadline date for its submission.

Said Officer shall maintain the list of Parent and Subsidiary Units of the P.L.A.V., U.S.A. as required by the Internal Revenue Service, so as to ensure that the Organization's Federal Income Tax Status is in full compliance with the provisions of the I.R.S. Said Officer shall inform all Posts of the number of delegates to the National Convention that they are entitled to, talking the figures from membership data supplied by the National Membership Director, in accordance with Section 1 of ARTICLE IV of the By-Laws. Said Officer shall maintain current Roster s of Officers, Directors, Committee Chairman, as well as up to date mailing lists of all State Departments, local Posts and Auxiliary Units other than those of the Ladies Auxiliary. Said Officer shall act as the assembly and distribution point of various program material of the P.L.A.V., U.S.A. Said Officer shall maintain contact with all State Departments, Posts and Auxiliary Units within the organization to ensure dissemination of policy and program actions and to collect and distribute information requested by other offices. Said Officer shall also perform such other duties as are usually incident to the office, or assigned to Said Officer by the National Commander or the National Executive Committee.

Sec. 9. National Judge Advocate: The National Judge Advocate hereafter referred to as "Said Officer" is a National Executive Officer, appointed by the National Commander, shall advise the National Officers and the National Executive Committee on all legal matters, including the construction and interpretation of the National Constitution and By-Laws and shall perform such other duties as are usually incident to the office.

Sec. 10. National Legislative Director: The National Legislative Director hereafter referred to as "Said Officer" is a National Executive Officer appointed by the National Commander, shall be the advisor to the National Organization on all legislative matters pertaining to veterans and their dependents, on bills introduced in House and/or Senate Veterans' Affairs Committees. Said Officer may appear in Washington, in support of organizational legislative proposals, or at Hearings, with the prior approval of the National Department, or when circumstances warrant, the National Commander. Said Officer shall have all Organizational Resolutions transposed into legislative proposals and cause to have them forwarded by the most expeditious means to the House and Senate Veterans' Affairs Committees. Said Officer shall correspond as required with both Houses of Congress to seek their support on all vital issues that pertain to the health and welfare of all veterans and their dependents. Said Officer shall be the Chairman of the Legislative Affairs Committee at all National Executive Committee Meetings and the National Convention.

Sec. 11. National Archives Director The National Archives Director hereafter referred to as "Said Officer" appointed by the National Commander shall not be considered to be an officer of the National Department or a member of the National Executive Committee, even when invited to its meetings by the National Commander or by said National Executive Committee, itself, provided however, if invited to be present at such meetings, Said Officer shall be entitled to travel and lodging expenses as prescribed by the National Convention. Said Officer shall be responsible for locating and recommending to the National Executive Committee a suitable site for the storage and display of the National Department files, meeting minutes and other records of the organization as well as historic documents, photographs and the likes. Said Officer shall also participate in the receipt of, preservation and presentation of any and all of the forgoing for public view. The National Commander with the advice and consent of the National Executive Committee, may delegate the duties of this appointed position to any Elective or Appointed National Officer or National Director.

Sec. 12. National P.L.A.V., U.S.A. News Editor: The National P.L.A.V., U.S.A. News Editor hereafter referred to as "Said Officer" is a National Executive Officer, appointed by the National Commander shall manage and supervise all phases of the National P.L.A.V., U.S.A. News. Said Officer shall be responsible for the gathering of material for publication, editing all incoming material and/or pictorial matter the Departments, Posts, Auxiliary Chapters and other news sources and for the preparation of the lay-out of the publication to be used by the printer. Said Officer shall publish and distribute the number of issues as directed by the National Convention and be further responsible for the financial management of the publication, under the general supervision of the .the National Executive Committee. Said Officer shall be responsible for the preparation of news releases to newspapers, radio, television and other publicity media for the purpose of publicizing the activities of the P.L.A.V., U.S.A. Said Officer shall work in close harmony with the National Commander, National Convention Corporation and/or the National Executive Committee, and shall issue no news releases without prior clearance from the National Commander or National Executive Committee. Said Officer shall act as the National Public Relations Officer, and, also perform any other duties as are usually incident to the office.

Sec. 13. National V.A.V.S. Director: "The National V.A.V.S Director hereafter referred to as "Said Officer" is a National Executive Officer, appointed by the National Commander shall have the responsibility to plan and coordinate the V.A.V.S. Programs of the Polish legion of American Veterans, U.S.A., subject to the instructions of the National Convention, the National Commander and the National Executive Committee. Said Officer shall set forth the policies of the National V.A.V.S. Program, of the P.L.A.V., U.S.A., and, Said Officer shall instruct and assist the V.A.V.S. Officers of the State Departments and Posts in their implementation; Said Officer shall act as the representative of the P.L.A.V., U.S.A., at all meetings of the National V.A.V.S. Committee and shall certify all State and Post V.A.V.S. Representatives and Deputies to V.A. Medical Centers; Said Officer shall gather information as to the V.A.V.S. programs of the State Departments and Posts for inclusion in the Annual Report of the P.L.A.V., U.S.A., required by the U.S. Congress under P.L. 98-372 and shall perform any other duties as are usually incident to the office.

Sec. 14. National Sergeant-at-Arms: The National Sergeant-at-Arms hereafter referred to as "Said Officer" is a National Operations Officer, who may be appointed at the discretion of the National Commander, subject to the concurrence of the National Executive Committee, shall be the custodian of the National Colors and shall be in charge of the Color Detail during the presentation and retirement of the Colors. Said Officer shall maintain order at the meetings of the National Department. The National Commander with the advice and consent of the National Executive Committee may delegate the duties of the Office of National Sergeant-at-Arms to any Elective or Appointed National Officer or Director.

Sec. 15. National Quartermaster: "The National Quartermaster hereafter referred to as "Said Officer" is a National Operations Officer, appointed by the National Commander, with the advice and consent of the National Treasurer shall be in charge of the emblems and supplies of the National Department. Said Officer shall prepare a catalog of all items for sale and distribution, under the direction of the National Executive Committee. Said Officer shall keep accurate accounts, books, vouchers and records according to the forms approved for use by the National Department. Said Officer shall keep a correct account of all monies due and payable to the organization from any source and give such written receipts therefor as may be required. Said Officer shall prepare both a financial and inventory report for the N.E.C. Meetings and National Convention and provide copies to the Treasurer and Chairman of the Budget and Audit Committee. This position shall not be considered to be that of a National Officer. The duties of the National Quartermaster may be assigned to any Elected or Appointed National Officer or Director.

Sec. 16. National Chaplain: "The National Chaplain hereafter referred to as "Said Officer" is a National Operations Officer, who may be appointed at the discretion of the National Commander, subject to the concurrence of the National Executive Committee, shall be the spiritual advisor of the National Department and shall perform such divine services as may be necessary at the National Convention or, at such other events where the service may be deemed necessary by the National Commander or the National Executive Committee. The National Commander may call upon any elected or appointed National Officer or National Director to give the opening and closing prayers at the meetings of the National Executive Committee, if there be no duly appointed National Chaplain."

Sec. 17. Past National Commanders: All Past National Commanders not holding an Elective or National Appointed Executive Office may be entitled to a stipend established by the National Executive Committee and/or National Convention. The Immediate Past National Commander shall be Chairman of the Past National Commanders Advisory Committee.

### **ARTICLE III DISCIPLINE OF MEMBERS AND OFFICERS**

Sec. 1. If a member's dues for the current fiscal year have not been paid by December 1, said member shall be classed as delinquent. If said member dues are paid on or before December 31, said member may be reinstated on recommendation of the local executive body. If said member is still delinquent on or after January 1, said member's membership in the Polish Legion of American Veterans, U.S.A. shall be forfeited. An individual whose membership has been so forfeited may be reinstated to active membership by a vote of the Post membership and payment of dues for the fiscal year in which reinstatement occurs.

Sec. 2. Any officer, of the National Department, a State Department or a local Post, who shall not be present for three (3) consecutive regular meetings, without good cause, shall forfeit said officer right to the office said officer holds, and to any remuneration that may be connected therewith. The existence "good cause" shall be determined by the Executive Board of the body in which said officer serves. The vacancy, caused by such forfeiture, shall be filled in accordance with the provisions of the Constitution.

Sec. 3. Any officer of the National Department, a State Department or a local Post, who is entrusted with handling of finances or property of the Polish Legion of American Veterans, U.S.A., cannot resign and said officer offered resignation shall not be valid and accepted until proper audit of said officer records are made, and until any funds or property of this organization in said officer possession have been properly returned to the organization.

Sec. 4. Officers of local Posts, State Departments or National Department shall, upon completion of their term of office, deliver to their successors in office all records, finances and property of the Polish Legion of American Veterans, U.S.A., as soon as possible, but not more than 30 days from the date of termination of their terms of office.

### **ARTICLE IV DELEGATES TO NATIONAL CONVENTION**

Sec. 1. The number of delegates from local Posts to the National Convention shall be determined on the basis of membership in local Posts as registered with the National Department, sixty (60) days prior to the date of convening the National Convention.

Sec. 2. Local Posts shall be entitled to representation at the National Convention on following basis, to-wit:

1. Posts with twenty-five (25) members or less shall be entitled to three (3) delegates.
2. Posts with larger membership shall be entitled to three (3) delegates for the first twenty-five (25) Members and one (1) delegate for each additional twenty-five (25) members or larger fraction thereof, that is, thirteen (13) or more, provided, however, that "larger fraction" provision shall apply only when the provision immediately preceding it, herein, shall be first fully complied with, when applicable.
3. New Posts, during the first year of their existence, shall each be entitled to three (3) delegates only, the number of their Post membership notwithstanding.

Sec. 3. Delegates to National Conventions shall be entitled to full or partial payment of travel expenses if actually present at the Convention in the following manner, to-wit:

1. Delegates elected by local Posts shall be paid by their local Posts.
2. State Commanders and retiring State Commanders shall be paid by their respective State Departments.
3. All Elective National Officers and the appointed National Executive Officers as listed in ARTICLE IV, NATIONAL CONVENTION, Sec. 2. - c., and ARTICLE V, OFFICERS, Sec. 3. Par. 1. Sub Paragraph A. National Executive Officers, of the National Constitution, shall be paid by the National Department.

## **ARTICLE V NATIONAL CONVENTION CORPORATION**

Sec. 1. The National Convention Corporation shall act on behalf of the National Department of the Polish Legion of American Veterans, U.S.A., within the scope of these By-Laws and Constitution.

Sec. 2. Par. 1. It shall be the duty of the National Convention Corporation to provide necessary funds to cover all expenses of the Convention, including the remuneration of the National and Convention officers.

Sec. 2. Par. 2. National Convention Corporation shall provide a suitable location for the Convention of the Polish Legion of American Veterans, U.S.A. and a separate location for the Convention of the Ladies Auxiliary, and report these arrangements to the National Department not less than six (6) months prior to the date of the National Convention.

Sec. 2. Par. 3. This Corporation shall arrange, at its own expense, Drum and Bugle Corps contests for the Polish Legion of American Veterans, U.S.A., or its Auxiliaries

**CODE OF REGULATIONS  
OF THE  
NATIONAL CONVENTION CORPORATION  
POLISH LEGION OF AMERICAN VETERANS, U.S.A.**

**CLAUSE I  
PURPOSE**

The purpose of the Polish Legion of American Veterans, U.S.A. National Convention Corporation is to establish a corporate entity to arrange for the financing and the operation of the P.L.A.V., U.S.A., National Convention and to additionally provide continuity in planning such conventions. The National Convention Corporation although a legally separate entity, shall be under the jurisdiction of the National Department of the P.L.A.V., U.S.A. and shall generally adhere to the National Constitution and By-Laws.

**CLAUSE II  
MEMBERS**

The membership of the National Convention Corporation shall include two (2) regular and active members of the Polish Legion of American Veterans, U.S.A., who shall be elected to its Board of Directors by the National Convention for a term of four (4) years.

**CLAUSE III  
BOARD OF DIRECTORS**

Sec. 1. Par. 1. The Board of Directors elected to serve under the Code of Regulations shall be elected by the Delegates at the National Convention. They shall be elected to serve terms of four (4) years. No Director shall be elected at the 2010 National Convention. One (1) Director shall be elected at each following National Convention and serve only one full four (4) year term in succession. This method of election of the Board of Elected Directors will insure the service of an experienced Director at all times.

Sec. 2. In addition to the elected members, who shall serve on the Board of Directors, the National Adjutant of the National Department shall be the Secretary of the National Convention Corporation and the National Commander of the Polish Legion of American Veterans, U.S.A. shall be ex-officio member of that Board. The National Commander shall at all times have the right to attend and participate in all meetings of the Board of Directors. The National Commander may defer action by the Board on a particular issue until it is resolved by the N.E.C.

Sec. 3. The Board of Directors shall hold their meetings in conjunction with the meetings of the National Executive Committee. The first meeting shall be held in conjunction with the first regular meeting of the N.E.C. following a National Convention. Special meetings of the Board of Directors may be called by the Chairman, or by the National Commander, provided that written notice of said meeting is sent to all members of that Board.

Sec. 4. The elected members of the Board of Directors, whenever requested to attend a meeting of the National Executive Committee by the National Commander and/or the N.E.C. shall attend such meeting as members of that body. Such Directors shall have a voice but no vote in matters pertaining to or pertinent to such N.E.C. Meetings.

Sec. 5. Any Elected Member of the Board of Directors may be removed from office upon two-thirds (2/3) vote of the National Executive Committee for such reasons as may be satisfactory to the N.E.C. Members being tried for removal from office shall have no vote. However, a Director being so tried may present evidence pertinent in their own defense.

Sec. 6. Whenever a vacancy shall occur in the Board of Directors by death, resignation, ineligibility or removal as provided in Sec. 5., or otherwise, the vacancy shall be filled by the N.E.C. The new member shall serve until the next National Convention, at which time; a Director shall be elected to complete the term.

Sec. 7. Par. 1. One (1) of the Directors shall constitute a quorum for all meetings of the Board whenever the National Adjutant and National Commander are present. The vote of a quorum of said Directors shall be conclusive as to matters passed upon by said Board.

Sec. 7. Par. 2. Proposals which are submitted in writing to such Directors by its Chairman, Treasurer, Secretary, National Commander, or the N.E.C. may be resolved by written reply.

Sec. 8. Par. 1. The Elected Members of the Board of Directors shall serve without compensation; however, the National Executive Committee may provide reasonable compensation, where an injustice may be evident. Elected Members of the Board of Directors shall, however, be allowed their reasonable authorized expenses incurred in travel and otherwise in pursuit of N.C.C. business; and it shall be the duty of the Board of Directors to pass and approve or disapprove vouchers for payment of such expenses, according to such rules and procedures as it may have established.

Sec. 8. Par. 2. All compensation and/or expenses as provided for in these regulations shall be subject to review, approval or rejection by the National Executive Committee.

Sec. 9. Par. 1. Past National Commanders and Past National Presidents of the Ladies Auxiliary, if actually present at the National Convention, shall be entitled to payment of mandate fees, paid from the funds acquired by the National Convention Corporation.

#### **CLAUSE IV OFFICERS**

Sec. 1. The officers of the National Convention Corporation (N.C.C.) shall consist of a President, Secretary and Treasurer. Only those Elected Directors can serve as President and Treasurer of the Corporation. Their term of office is two years. The officers shall be elected by a majority vote of the four (4) members at the meeting of the Board of Directors next following a National Convention.

Sec. 2. In case of death, resignation, ineligibility or removal of any Elected Director for cause, the National Executive Committee shall elect their successor for the un-expired term.

Sec. 3. Par. 1. The President, as the Executive Officer of the National Convention Corporation, shall act as the Chairman of the Board of Directors with the usual duties, authority and responsibility of such office. Said Officer's signature along with that of the Treasurer, are required on each corporate check. Said Officer is the director and manager of the business and administrative affairs of the Corporation. Said Officer shall with the consent and approval of the Board of Directors have the following authority and duties: lease office space, purchase supplies, arrange for travel of Directors, employ and supervise required personnel, and arrange for such incidental services as may be deemed necessary to conduct the business affairs of the Corporation.

Sec. 3. Par. 2. The Treasurer shall maintain an accurate account of finances of the N.C.C. Said Officer shall be bonded by a good and solvent bonding company for twice the optimum amount of money that may be on deposit in the Corporate accounts. Said Officer shall be one of the signers of all checks drawn on all Corporate Accounts. Said Officer shall prepare checks and vouchers on order of the President. Said Officer shall perform such other duties as are usual and incidental to such office.

Sec. 3. Par. 3. The Secretary shall keep a complete record of the minutes of all meetings of the Board of Directors.

Sec. 3. Par. 4. Under no circumstances shall any of the Corporate Officers sign any checks or vouchers in blank.

Sec. 4. The National Convention Corporation shall bond all its officers as named in Section 1 of this Article. Such bond shall be for a reasonable amount and be filed with the National Treasurer of the Polish Legion of American Veterans, U.S.A.

#### **CLAUSE V AUTHORITY FOR CONTRACTS**

Sec. 1. The making of all contracts for fund raising and for other purposes provided for in the Certificate of Incorporation of the National Convention Corporation of the Polish Legion of American Veterans, U.S.A. is in the discretion of the Board of Directors, provided that reasonable legal advice shall have been consulted concerning each transaction.

Sec. 2. All such contracts shall be entered into in the name of the National Convention Corporation of the Polish Legion of American Veterans, U.S.A. They shall be authenticated with the signature of the President of the Board of Directors, after having been duly approved by the said Board of Directors. Proposals and negotiations concerning proposed contracts, and copies of the said contracts shall be submitted to the Board of Directors by Certified Mail - Return Receipt Requested and their action thereon shall be transmitted to the Secretary in writing. Copies of Executed Contracts shall be forwarded to the National Commander, National Treasurer National Adjutant and National Membership Director within thirty (30) days of execution thereof.

Sec. 3. Contracts proposed to extend over more than one National Convention must have the approval of the National Executive Committee.

#### **CLAUSE VI DUTIES OF THE BOARD OF DIRECTORS**

Sec. 1. It shall be the duty of the Board of Directors:

1. To keep complete records of minutes of meetings and accounts in permanently bound record books. A written report of the minutes of all meetings of the Board of Directors shall be submitted to the National Commander immediately following all such meetings.
2. To supervise all officers and agents of the Corporation and to require proper performance of their duties.

3. To designate a depository, or depositories, for the funds and securities, and other properties of the Corporation. All such funds, securities and other properties of the N.C.C. shall be held in trust for and shall at all times be the property of the Polish Legion of American Veterans, U.S.A.
4. To transfer all surplus funds to the National Treasury of the Polish Legion of American Veterans, U.S.A. except as provided for in Clause VII, Section 5, of this Code of Regulations.
5. The National Executive Committee shall determine the kinds and classes of securities and properties in which the funds of the Corporation shall be invested, provided said investment complies with the laws of the State in which such funds are located. It shall be the duty of the Board of Directors to keep the National Executive Committee duly informed concerning the funds of the Corporation by submitting a written report thereon to the N.E.C. each time that body meets in regularly convened executive sessions.
6. To hold and exercise all the powers and rights conferred upon the Directors of a Corporation generally by the laws of the United States of America and the States in which such Corporations shall operate.
7. To enter into contracts directly related to the operation of a National Convention or other National Conferences as directed by the N.E.C.; to investigate and to recommend Convention sites; to arrange for the preparation and printing of Convention programs; and to purchase and conserve all materials as may be required by the National Convention and/or other National Conference. "Other National Conference" as stated herein shall not be construed to include National Executive Committee Meetings.
8. To make such expenditures and to enter into such agreements as may be necessary in its discretion to fulfill the purposes outlined in the Certificate of Incorporation.
9. To employ such persons as it deems necessary to carry out the purposes herein, and as set forth in the Certificate of Incorporation. Employment of all such persons and the salaries to be paid such persons shall be subject to the approval of the National Executive Committee.
10. To provide for adequate bonding of not only the Board of Directors, but also of such agents as necessary; to otherwise protect the funds of the Corporation.
11. To make written, full complete reports of its activities and accounts to the National Commander and the National Executive Committee as provided for in these regulations or as may be required by the National Executive Committee.
12. To advise in writing and orally, when convenient, the Commander of a Department hosting a National Convention, and/or the local Convention Committee in all matters pertinent to that forthcoming Convention.
13. To advise, in writing, the National Department of the Ladies Auxiliary, P.L.A.V., U.S.A. in all matters pertinent to the Ladies Auxiliary in regards to P.L.A.V., U.S.A. National Conventions.

Sec. 2. It shall be the duty of the National Executive Committee to suspend all payments of compensations and/or expenses to the Board of Directors or members thereof unless all the duties enumerated in Section 1 of this Clause are satisfactorily performed.

Sec. 3. In the event the N.C.C. Board of Directors fails to carry out its duties and responsibilities in compliance with this Code of Regulations as determined by the National Executive Committee, it shall be mandatory for the National Commander and/or the N.E.C. to act at once to suspend the activities of such Board, and to carry out the duties herein described in place of such Board.

## **CLAUSE VII POLICY**

Sec. 1. The P.L.A.V., U.S.A. National Convention Corporation, for all purposes of policy, shall be a subsidiary of the National Department of the P.L.A.V., U.S.A. as referred to in the National Constitution, P.L.A.V., U.S.A. - Article IV, Section 6, and shall be subject to the provisions of said Article.

Sec. 2. It shall be the policy of the Directors of the N.C.C. to limit the travel and expenses of the Elected Directors insofar as possible to one (1) visit to a convention site city prior to any National Convention. Inspection of premises, final negotiations, and executions of contracts shall be the purpose of such visit. Such visit shall be limited to two (2) Elected Directors unless the urgency of the situation requires otherwise.

Sec. 3. It shall be the policy of the Elected Directors of the N.C.C. to do all preliminary negotiating with hotels, suppliers, and other suppliers of required services through the United States Mails in an effort to minimize expenses. Telephone expenses should be minimal.

Sec. 4. In an effort to minimize costs to the P.L.A.V., U.S.A., the Board of Directors of the N.C.C. shall hold their meetings in conjunction with the meetings of the National Executive Committee, as set forth in this Code of Regulations.

Sec. 5. All funds acquired by the Convention Corporation shall be deposited to its account and expended or invested as directed by the National Executive Committee. The amount of operating funds for the National Convention Corporation shall be determined by the National Executive Committee.

Sec. 6. At the first regular National Executive Committee Meeting following a National Convention, the National Convention Corporation shall submit a budget covering N.C.C. operations for the ensuing two year period. Such budget shall take effect immediately upon approval by the National Executive Committee.

Sec. 7. All activities of the P.L.A.V., U.S.A. National Convention Corporation shall be under the supervision, direction and control of the Board of Directors except as herein otherwise provided.

Sec. 8. Reference herein to the masculine shall include the feminine.

**CLAUSE VIII  
NATIONAL BY-LAWS**

All provisions of this Code of Regulations for the National Convention Corporation of the Polish Legion of American Veterans, U.S.A. and amendments thereto, shall become an addenda to ARTICLE V, of the National By-Laws of the Polish Legion of American Veterans, U.S.A. and shall take effect immediately upon adoption by the National Convention.

**CLAUSE IX  
STATE DEPARTMENTS**

Authority is hereby given to the various State Departments of the Polish Legion of American Veterans, U.S.A. to authorize and create Convention Corporations of similar scope and nature to finance and to operate State Department Conventions. The National Department of the Polish Legion of American Veterans, U.S.A. shall in no way assume any responsibility or obligation for any State Department Convention Corporation.

**CLAUSE X  
PROFITS**

The State Department hosting a National Convention of the Polish Legion of American Veterans, U.S.A. shall receive thirty-five (35) per cent of the net profit of that National Convention, but shall not be obligated to contribute to any loss resulting from that convention.

**CLAUSE XI  
AMENDMENTS**

This Code of Regulations may be amended, added to, or altered by a National Convention - as prescribed by the National Constitution and By-Laws of the Polish Legion of American Veterans, U.S.A.

Adopted by the 2010 National Convention at Romulus, Michigan and amended by subsequent National Conventions.

**ARTICLE VI  
PERMANENT COMMITTEES**

Sec. 1. Par. 1. The National Commander shall appoint, subject to approval of the National Executive Committee, the following permanent National Committees: Veterans Affairs and Legislation Committee, Membership Committee, Data Base Committee, and, such other Committees as may be proper and necessary.

Sec. 1. Par. 2. The Past National Commander's Advisory Committee shall be a permanent committee, of the National Department, per the enactment of the 23rd National Convention. Its membership shall be limited to the Past National Commanders, of the Polish Legion of American Veterans, U.S.A.

Sec. 2. Duties of permanent National Committees shall be as follows:

- a. The Veterans Affairs and Legislation Committee shall be headed by the National Legislative Director and shall advance the cause of veterans' welfare wherever possible; shall aid and assist veterans in obtaining all benefits due to them; and shall perform such duties that may be delegated to it by the National Commander on approval of the National Executive Committee and/or the National Convention.
- b. The Membership Committee shall be headed by the National Vice Commander and shall help to organize new Posts in States where there are no State Departments, and aid State Departments in recruiting new members, and shall perform such further duties that may be delegated to it by the National Commander on approval of the National Executive Committee and/or the National Convention.
- c. The Data Base Committee shall be headed by the National Membership Director. The Data Base Committee shall consist of representatives from the National Executive Committee. The Data Base Committee shall meet at the National Executive Committee Meeting and biennially at the National Convention. They shall determine the type of software to be used as well as such administrative regulations as shall be required for serving the needs of this Organization. The Data Base Committee shall prepare and recommend to the National Convention, budget requirements as well as annual maintenance costs based on the previous fiscal year membership totals. The National Vice Commander shall be invited to participate in the discussions and decisions of this Committee.
- d. The Past National Commander's Advisory Committee shall meet concurrently with the National Convention and the National Executive Committee Meetings. It shall convene only if three (3) or more Past National Commanders are present at said National Convention, or at such National Executive Committee Meetings. It shall offer advice and counsel to the National Convention, the National Commander and the National Executive Committee as to the policies and programs of the National Department.

Sec. 3. The number of members to serve on any permanent National Committee shall be determined by the National Convention, or, in the event the said Convention fails to do so, by the National Department. It shall be the duty of each of the permanent National Committees to give a report of its activities and such recommendations as it sees fit to make to the National Convention and such other reports to the National Department as may be requested of such committee.

## **ARTICLE VII MONEYS AND COLLECTIONS**

Sec. 1. All National Department, State Department and local Post officials handling money of the Polish Legion of American Veterans, U.S.A. shall be properly bonded with a good and solvent bonding and Surety Company as surety to cover double the average amount of money handled in a single year. In case of delinquencies in the payment of the amounts due the National Department or a State Department, action shall be taken at once by the proper officials to bring about an immediate and complete settlement.

Sec. 2. Par. 1. A membership fee consisting of National, State and local Post dues shall be paid annually by each member of this organization, to the Post Finance Officer or the authorized agent thereof who shall issue the annual membership card as evidence of such payment.

Sec. 2. Par. 2. Each local Post shall retain its portion of the annual dues for each member and shall promptly remit the balance to the State Department.

Sec. 2. Par. 3. Each State Department shall retain its annual dues for each member and shall promptly remit the national dues to the National Department.

Sec. 2. Par. 4. In States where there are no duly chartered State Departments, the local Posts shall remit the national dues directly to the National Membership Director.

Sec. 3. The National Department shall have authority, within the scope of this Constitution and By-Laws, to prescribe such regulations for uniform methods of collecting and remitting dues and other matters pertaining thereof, as it shall deem necessary.

## **ARTICLE VIII ORGANIZATION OF NEW STATE DEPARTMENTS**

Sec. 1. A State Department shall be chartered when application has been made to the National Department by the joint committee of at least three (3) Posts and approved by the National Department, provided, however, that there shall be at least two hundred (200) members in good standing in the Posts of said State at the time the application for Charter is made.

Sec. 2. A Provisional State Department may be organized when application has been made to the National Department by one or more Posts and approved by the National Department, provided, however, that there shall be at least one hundred (100) members in good standing in the Post or Posts of said State at the time the application is made. When required, and preceding formation of a Provisional State Department, the National Department shall designate the Post most qualified to administer, promote and see to the welfare of such group of Posts.

## **ARTICLE IX ADMINISTRATION OF THE AUXILIARIES**

Sec. 1. The Ladies Auxiliary shall be self-administered, but, nevertheless, shall be governed by the Constitution and By-Laws of the Polish Legion of American Veterans, U.S.A. and by such rules and regulations as may be prescribed for it by the National Convention of the Polish Legion of American Veterans, U.S.A.

Sec. 2. The Sons Auxiliary of the Polish Legion of American Veterans, U.S.A. shall be administered and governed in each State Department by such rules and regulations as may be prescribed for it by the National Convention of the Polish Legion of American Veterans, U.S.A.

Sec. 3. The Gold Star Mothers Auxiliary shall be of an honorary nature, for patriotic and civic manifestations. No separate accounts or financial encumbrances shall be obligated by the Gold Star Mothers Auxiliary and they shall be governed by the rules and regulations prescribed by the Ladies Auxiliary or a State Department, Polish Legion of American Veterans, U.S.A., whichever is the governing body in the respective State.

Sec. 4. The Daughters and Granddaughters of the Polish Legion of American Veterans, U.S.A. shall be governed in each State Department by the Ladies Auxiliary, acting under the rules and regulations as may be prescribed for it by the National Convention of the Polish Legion of American Veterans, U.S.A. and the National By-Laws of the Ladies Auxiliary of the Polish Legion of American Veterans, U.S.A.

Sec. 5. The National Department shall have supervisory authority over all above mentioned Auxiliaries and shall carry out and enforce such rules and regulations as may be prescribed by the National Convention for governing of said auxiliaries, and/or make such rules and regulations therefor as may be authorized by the National Convention.

## **ARTICLE X ORGANIZATIONAL COURTS**

Sec. 1. Charges against members shall be preferred and adjudged in the local Posts.

Sec. 2. Organizational courts of the local Post shall hear and determine the merits of such cases. The Organizational Court shall be composed of three members; one appointed by the accused, one by the accuser and one by the Post Commander.

Sec. 3. Persons against whom charges are preferred shall have a right and an opportunity to be fully heard and shall be presumed to be innocent until proved guilty by the preponderance of evidence.

## **ARTICLE XI AWARDS AND DECORATIONS**

Sec. 1. Awards and Decorations established, from time to time, by the National Convention or National Department shall be awarded according to the procedures established for that purpose as provided in the National Department Standing Rules.

Sec. 2. The following Awards, which shall be the highest Non-Member and Member Awards of this Organization, : Nominating Petitions shall be made available by and procured from the National Adjutant.

- a- The “AMERICAN WHITE EAGLE DISTINGUISHED AWARD” which shall be restricted to Non-Members of the Polish Legion of American Veterans, U.S.A.
- b- The “POLISH LEGION OF AMERIVAN VETERANS, U.S.A. AMERICAN EASLE AWARD,” which shall be restricted to Regular Active, Active Life Members and Active National Life Members of the PLAV, U.S.A.

## **ARTICLE XII MEETINGS**

Sec. 1. All meetings of the Polish Legion of American Veterans, U.S.A., shall be conducted under Robert's Rules of Order, provided, however, that in the event certain special procedures are outlined by the National Convention, such procedure shall predominate.

Sec. 2. Rituals adopted by the Polish Legion of American Veterans, U.S.A., shall be followed at all meetings and ceremonies of this organization.

### **ARTICLE XIII OATHS**

Sec. 1. Every member upon joining this organization and every officer upon assuming their office shall take such an oath as shall be prescribed for such occasions by the National Convention or National Department, when it is authorized to do so by the National Convention.

### **ARTICLE XIV AMENDMENTS**

Sec. 1. These By-Laws may be amended at any National Convention by a majority vote of the total authorized delegates present on the floor, provided, that the proposed amendment shall have been submitted to the National Adjutant, postmarked at least ninety (90) days prior to the convening of the next National Convention, and shall have been submitted by the National Adjutant to all State Departments and the National Judge Advocate by mail, postmarked at least sixty (60) days prior to such National Convention. These By-Laws may, however, be amended by any National Convention without notice, by unanimous vote.

Sec. 2. No proposed amendment to these By-Laws shall be considered by the National Convention as provided in Sec. 1. of this Article, unless such proposed amendment shall have been submitted through the National Adjutant to the National Convention, by a Post at its respective State Executive Committee Meeting or State Convention, by a State Department in its State Executive Committee Meeting or at its State Convention or by the National Department at a National Executive Committee Meeting.

### **ORIGIN OF THE POLISH LEGION OF AMERICAN VETERANS, U.S.A.**

The Polish Legion of American Veterans, U.S.A., was created by the Consolidation Convention of the Alliance of American Veterans of Polish Extraction of the State of Michigan, operating there from 1920-1931. The Alliance of American Veterans of Polish Extraction, a Not-For-Profit Corporation, Chartered under the Laws of the State of Illinois, operating there, and, in Ohio and Wisconsin, from 1921 to 1931: and, The Polish Legion of The American Army, operating in New York and New Jersey, fro 1927 to 1931, who convened on September 5, 6 and 7, 1931, with the intent of bonding into one organization of American Veterans of Polish Descent.

### **CONSTITUTION AND BY-LAWS: DATES OF ADOPTION**

Originally adopted at the First Central Convention of the Alliance of Polish-American Veterans of the World War, at Chicago, Illinois, on November 12 and 13, 1921.

Revised at the Fourth Central Convention of the Alliance of Polish-American Veterans of the World War, at Chicago, Illinois, on September 5, 6 and 7, 1925, at which time the organization's name was changed to the Alliance of American Veterans of Polish Extraction.

Re-adopted, with revisions, at the Consolidation Convention, at Cleveland, Ohio, on September 5, 6 and 7, 1931, at which time, the three organizations, named in the opening paragraph, merged to form the Polish Legion of American Veterans, U.S.A.

## AMENDED AT THE FOLLOWING NATIONAL CONVENTIONS

1932- Hamtramck, Michigan	1976- Chicago, Illinois
1933- Cicero, Illinois	1978- Las Vegas, Nevada
1935- Milwaukee, Wisconsin	1980- Boston, Massachusetts
1937- Cleveland, Ohio	1982- Hollywood, Florida
1939- Maspeth, New York	1984- Dearborn, Michigan
1941- Chicago, Illinois	1986- Rosemont, Illinois
1944- Translated from Polish into English for the initial time	1988- Arlington, Virginia
1946- Milwaukee, Wisconsin	1990- Milwaukee, Wisconsin
1947- Detroit, Michigan	1992- Independence, Ohio
1948- Syracuse, New York: Organizations name	1994- Milwaukee, Wisconsin
Changed to: Polish Legion Of American Veterans, U.S.A.	1996- Orlando, Florida
1950- Akron, Ohio	1998- Lansing, Michigan
1952- Boston, Massachusetts	2000- Tunica County, Mississippi
1954- Buffalo, New York	2002- Farmington, Connecticut
1956- Detroit, Michigan	2004- Naperville, Illinois
1958- Hartford, Connecticut	2006- Tampa, Florida
1960- Chicago, Illinois	2008- Independence, Ohio
1962- Cleveland, Ohio	2010- Romulus, Michigan
1964- Milwaukee, Wisconsin	2012- Schaumburg, Illinois
1966- Miami Beach, Florida	2014- Albany, New York
1968- New York City, New York	2016- Romulus, Michigan
1970- Detroit, Michigan	2018-
1972- Cleveland, Ohio	
1974- Bal Harbour, Florida	

### **OATHS**

#### **(Oath Administered to All Newly Accepted Members)**

"I (candidate's name), having familiarized myself with the aims and principles of the Polish Legion of American Veterans, U.S.A. promise to faithfully abide by the Constitution of the Polish Legion of American Veterans, U.S.A. and of (name) \_\_\_ Post No. \_\_\_ to conscientiously and willingly perform all orders of my officers. So help me God!

#### **OATH OF ELECTED or APPOINTED OFFICERS**

"I (officer's name), assuming the office of (name office), swear on my honor as a citizen of the United States and a Veteran that I shall faithfully and honestly fulfill the duties of my office in accordance with the letter of the Constitution and its By-Laws and all rulings of the National Administration. So help me God!"

**OATH OF CONVENTION  
DELEGATES or ALTERNATES**

"I (delegate's name) having been elected as representative to this Convention, solemnly swear that I shall conscientiously and willingly perform all the duties of offices entrusted to me and that I shall work for the good of the organization. So help me God!"

**MEETINGS --PROCEDURE AND QUORUM**

Quorum consists of at least half of the Board Members eligible to vote --simple majority of vote present constitutes rightful decision in all matters.

National Department and Post meetings shall be conducted to accepted parliamentary rules in following Order of Business:

1. Opening of meeting by Commander (or officer next in line) observing the prescribe ritual of the P.L.A.V., U.S.A.
2. Roll call of officers and reading minutes from previous meeting.
3. Reading of correspondence and its disposal.
4. Reports of officers and committees.
5. Membership report on new members.
6. Postponed, unfinished and deferred business.
7. New business and for the good of P.L.A.V., U.S.A.
8. Financial Reports.
9. Adjournment.

Special meetings may be called if necessary to transact urgent or special matters requiring immediate attention and action.