

Polish Legion of American Veterans, U.S.A.



Internal Operations

Section 4

Resolutions, Constitution and By-laws Changes

OBJECTIVES

- It is the Objective of the Polish Legion of American Veterans, U.S.A. National Department
 - To provide instructions and give examples on properly submitting a resolution.
 - To provide instructions and give examples on properly submitting a Constitution or By-law change

Submitting resolutions	S4-2
Who can submit a resolution	S4-2
Where and when to submit a resolution	S4-2
Guidelines for writing a resolution	S4-2
How to write a resolution	S4-2
Resolving Section	S4-3
Preamble Section	S4-4
Sample Resolution	S4-6
Submitting Amendments to the Constitution and By-laws	S4-7
Changes to the National Constitution and By-laws	S4-7
Guidelines for writing Constitution and By-laws changes	S4-8
Preamble Section to the Constitution and By-laws changes	S4-8
Resolving Section to the Constitution and By-laws changes	S4-8
Example Constitution Change	S4-9
Blank Resolution Form	S4-10

Submitting Resolutions:

- a. All proposed Resolutions must be in writing and must be drawn in form so as to provide that the Resolution was adopted by the Polish Legion of American Veterans, U.S.A. assembled in Convention.
- b. All Resolutions not drawn in accordance with proper form shall be returned by the Adjutant to the Sponsor for correction.
- c. All Resolutions are to be registered with the Adjutant at least one (1) day before being presented at the Convention and no Resolution will be accepted for consideration on the last day of the Convention. However, a Convention Committee may originate a Resolution if it is necessary and expedient at any time during the Convention.

Who can submit a resolution:

Any individual member, Post Officer or National Officer may submit a resolution at any National Executive Committee (N.E.C.) meeting, or National Convention. These should be resolutions dealing with Veterans issues and/or benefits, and not the Constitution and By-laws.

Where and when to submit a resolution:

The Resolutions may be submitted prior to and during any N.E.C. meeting. Resolutions to be submitted that are pertinent to Veterans Issues should be submitted to both the National Adjutant and the National Legislative Director no less than 60 days prior to the start of National Convention.

Submitted Resolutions at both the N.E.C. meetings and the National Convention are first read and acted on by the Resolutions Committee. Then said Resolutions are brought to the floor of the N.E.C. or National Convention for a final vote.

Guidelines for Writing a Resolution

Resolutions are a multipurpose form of expression. They can be used as a declaration whereby you bestow honor or appreciation to a person or persons for any deserving act or service they have performed. Resolutions are used to express your feelings on a particular issue to anyone who may have power to make your feeling a reality, such as the President of the United States, Congress, State and Local legislators or even the various levels of the Polish Legion of American Veterans. Resolutions are also used to effect change, such as changing or adding to the Constitutions and By-laws of the National, State or Post levels of the Polish Legion of American Veterans.

How to write a Resolution

A resolution should:

- 1) Contain ‘supporting arguments’
- 2) Clearly define the intent of the resolution
- 3) Be free of factual and legal errors
- 4) Contain material relevant to the purposes and programs of the Polish Legion of American Veterans
- 5) Deal with one subject only

Resolutions have two major parts; a preamble and the resolving section. Each part consists of one or more clauses and the whole resolution is read in its entirety as one continuous complex sentence. The preamble sets forth the reasons for the resolution and the resolving section, sets forth the intent of the resolution. It is suggested that the resolving section be written first, since it is easier to decide what statements are needed in the preamble once the intent (the reasons why the resolution is being submitted) of the resolution has been established.

Resolving Section

Begins with the word ‘RESOLVED’ printed in capital letters and followed by a comma. The following information should be used after ‘RESOLVED’

- 1) Identification of the resolving authority
- 2) The circumstance and place of the action
- 3) The date of the action

The first word after this information is ‘That’, with a capital ‘T’.

RESOLVED, By the duly elected delegates, Polish Legion of American Veterans, U.S.A., in National Convention assembled in Lansing, Michigan on August 24, 1998, That.....

Although each resolution should deal with only one subject, it is often necessary or desirable to attach additional clauses to a resolving section in order to cover matters that are closely related to the main intent of the resolution. This is useful for spelling out the details of how and by whom, the intent of the resolution is to be carried out or accomplished. Note that a period is used only once, at the close of the last paragraph of the resolving section.

***RESOLVED, By the duly elected delegates, Polish Legion of American Veterans, U.S.A., in National Convention assembled in Lansing, Michigan on August 24, 1998, That the Polish Legion of American Veterans, U.S.A. supports the admission of Poland into NATO and be it
FURTHER RESOLVED, That the President of the United States instruct his ministers to begin negotiations with the Warsaw Pact nations to dissolve any treaties that may prevent Poland’s admission and be it***

FINALLY RESOLVED, That the United States of America formally vote to admit Poland into NATO at the upcoming NATO summit meeting.

Preamble Section

This section consists of one or more clauses which begin with the word 'WHEREAS' and are joined together by a semi-colon followed by the word 'and'.

WHEREAS, The Polish Legion of American Veterans, U.S.A. is a organization of Veterans who have dedicated themselves to the service of the community, state and nation; and

WHEREAS, This service is performed through the Polish Legion of American Veterans volunteer VAVS programs; and

WHEREAS, (etc. and etc.)

Each clause in the preamble should contain a statement of fact that is logically related to the intent of the resolution. Each clause should explain and justify the need for the resolution. Note that each clause would stand-alone as a complete sentence if the 'WHEREAS' were removed and a period was substituted with the semi-colon. The final clause of the preamble is joined to the resolving section by a semi-colon, followed by the phrase, "now, therefore, be it"

WHEREAS, The Polish Legion of American Veterans, U.S.A. is a organization of Veterans who have dedicated themselves to the service of the community, state and nation; and

WHEREAS, This service is performed through the Polish Legion of American Veterans volunteer VAVS programs; and

WHEREAS, These volunteers should be more adequately compensated for their travel costs to and from the VA medical centers; now, therefore, be it

RESOLVED, By the duly elected delegates, Polish Legion of American Veterans, U.S.A., in National Convention assembled in Lansing, Michigan on August 24, 1998, That the Polish Legion of American Veterans, U.S.A. supports the increase of the allowable mileage deduction to 56 cents per mile.

There is no formula for deciding how many 'WHEREAS' clauses a resolution should have but in general the fewer the better. Study the resolving section to get the exact purpose of the resolution and write down statements of fact that explain the reasons why the resolution is important. Organize the reasons in a logical sequence then put the word 'WHEREAS' in front of each reason. Remember that the only period in the entire resolution is at the every end.

Any individual member, Post Officer or National Officer may submit a resolution at any National Executive Committee (N.E.C.) meeting, or National Convention. These should be resolutions dealing with Veterans issues and/or benefits, and not the Constitution and By-laws.

The Resolutions may be submitted prior to and during any N.E.C. meeting. Resolutions to be submitted that are pertinent to Veterans Issues should be submitted to both the National Adjutant and the National Legislative Director no less than 60 days prior to the start of National Convention.

Submitted Resolutions at both the N.E.C. meetings and the National Convention are first read and acted on by the Resolutions Committee, then said Resolutions are brought to the floor of the N.E.C. or National Convention for a final vote.

EXAMPLE

Polish Legion of American Veterans, U.S.A.
Chartered by Act of Congress



Unity with Heritage



Unity with Heritage

RESOLUTION

Submitted by: Gene S. Hentkowski, National Legislative Director

Subject: Deceased Veterans Claims - Accrued Benefits

Whereas, The Polish Legion of American Veterans, U.S.A. seeks legislation to amend USC 38 5121 to provide for the payment of accrued benefits in a pending claim, including an appeal to the Board of Veterans Appeals or the Court of Veterans Appeals to the date the deceased Veteran's claim was filed, and

Be It Resolved, The Polish Legion of American Veterans, U.S.A. recommends and supports legislation to pay accrued benefits to the dependents in a pending claim to the date the deceased Veteran's claim was filed, and

Resolved, By the duly elected/appointed officers of the Polish Legion of American Veterans, U.S.A. in the N.E.C. meeting assembled in Hartford, CT on October 30, 1998 through November 1, 1998.

For Committee Use Only

Assigned Number: 98-58 Approved Rejected _____ Referred to National

Approved with Amendment _____ Legislative Director Signature Gene S. Hentkowski

Motion Made by Committee Seconded by: Piotrowski

Floor Action: _____ Accept _____ Approve Reject _____

Submitting amendments to the Constitution and By-laws

- a. All Amendments to the National Constitution and By-laws must be presented in writing at least ninety (90) days prior to the Convention by a Post, through its State Department to the National Department, so as to permit the National Adjutant to forward copies to all State Department at least sixty (60) days prior to the Convention, to allow passage by a two-thirds (2/3rd) vote.
- b. Amendments not submitted in accordance with this procedure will require a UNANIMOUS VOTE for passage (ONE NAY VOTE DEFEATS THE MOTION)
- c. The Constitution and By-laws Committee shall consider all Amendments to the Constitution and By-laws and may modify any such Amendment. Such modification shall not take the proposed Amendment out of the ninety (90) day rule so long as the original themes of the Amendment shall have been preserved.
- d. Such Committee shall determine whether such Amendment has been submitted in accordance with the above paragraphs and the existing sections of the National Constitution and By-laws and shall rule whether a 2/3rd vote or a majority vote or a unanimous vote is required for approval of such amendment. The decision of the said committee shall be final.
- e. All Amendments received by such Committee shall be presented to the Convention at the earliest practicable time whether favorable or unfavorable.
- f. All Amendments to the Constitution must be in accordance with the Constitution, Article XIII Amendments to Constitution, Section 1. and Section 2.
- g. All Amendments to the By-laws must be in accordance with the By-laws, Article XIV, Amendments, Section 1. and Section 2.

Changes to the National Constitution and By-laws

Pursuant to Article XIII of the National Constitution and By-laws of the Polish Legion of American Veterans, U.S.A., Section 1, page 31, and Section 2 on page 31 and 32,

Sec. 1. This Constitution may be amended at any National Convention by a two-thirds majority vote of the total authorized delegates present, 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 members of the National Department 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 Section 1 of this Article, unless such proposed amendment shall have been submitted through the National Executive Committee to the National Judge Advocate, in triplicate form, by a Post at its respective State Convention, by a State Department in its State Convention, or at its State Executive Committee meeting, or by the National Department at a National Executive Committee Meeting.

The form for submitting proposed changes to the National Constitution and By-laws may be followed as explained in the Resolutions section.

Guidelines for writing Constitution and By-laws Changes

Constitution and By-law changes should:

- a. Contain supporting arguments for change
- b. Clearly define the intent of the Constitution or By-law change
- c. Be free of factual and legal errors
- d. Write the exact and full existing Article, Section and page as is in the Constitution and By-laws manual
- e. Write the exact new wording change being requested

Preamble section to the Constitution and By-laws changes

- a. Each clause in the preamble should contain a statement of fact that is logically related to the intent of the Constitution or By-law change.
- b. Each clause should explain and justify the need for the Constitution or By-law change.

WHEREAS, The Polish Legion of American Veterans, U.S.A. is known world wide as the PLAV
WHEREAS, All American Veterans know the PLAV are veterans of Polish descent.

Resolving Section

Be It Resolved contains the entire section of the Constitution or By-law as is written in the Constitution and By-laws manual with the page number.

Be change to contains the exact word changes to the above section

Approval would contain the Approval of the State Department of which the Constitution or By-law change was initiated.

BE IT RESOLVED: That the Constitution, ARTICLE I, Name of Organization, Sec. 1., The name of this organization shall be “Polish Legion of American Veterans, U.S.A.”

BE CHANGED TO: ARTICLE I, Name of Organization, Sec. 1., The name of this organization shall be “PLAV U.S.A.”

APPROVAL: This Constitutional change was approved by the Department of Mississippi on January 1, 2000, at the Mississippi State Convention, Tunica, Mississippi.



Polish Legion of American Veterans, U.S.A.
Chartered by Act of Congress



Unity with Heritage

Unity with Heritage

Constitution Change

Submitted by: *Department of Mississippi*

Subject: *Change to the Polish Legion of American, U.S.A. Constitution*

.....
Whereas, *The Polish Legion of American Veterans, U.S.A. is known world wide as the PLAV.*

Whereas, *All American Veterans know the PLAV are veterans of Polish descent.*

Be It Resolved, *That the Constitution, ARTICLE I, Name of the Organization, Sec. 1., The name of this organization shall be "Polish Legion of American Veterans, U.S.A."*

Be Changed to: *ARTICLE I, Name of Organization, Sec. 1., The name of this organization shall be "PLAV U.S.A."*

Approval: *This Constitutional change was approved by the Department of Mississippi on January 1, 2000 at the Mississippi State Convention, Tunaca, Mississippi.*

.....
For Committee Use Only

Assigned Number: _____ **Approved** _____ **Rejected** _____ **Referred**
to _____

Approved with Amendment _____ **Veterans Affairs Chairman**
Signature _____

Motion Made by: _____ **Seconded**
by: _____

Floor Action: _____ **Accept** _____ **Approve** _____ **Reject** _____

Over Three Million Americans of Polish Descent Served In The Wars Of The United States

Blank Resolution Form



Unity with Heritage

**Polish Legion of American Veterans, U.S.A.
Chartered by Act of Congress**



Unity with Heritage

RESOLUTION

Submitted by:

Subject:

.....

Whereas,

Whereas,

Whereas,

Be It Resolved,

Resolved,

.....

For Committee Use Only

Assigned Number: _____ **Approved** _____ **Rejected** _____ **Referred to** _____

Approved with Amendment _____ **Veterans Affairs Chairman Signature** _____

Motion Made by: _____ **Seconded by:** _____

Floor Action: _____ **Accept** _____ **Approve** _____ **Reject** _____