

# **AMERICAN MERCHANT MARINE VETERANS INC.**

## **CONSTITUTION AND BYLAWS**

### **Preamble**

The American Merchant Marine Veterans (AMMV) is a not for profit pro-American organization established to gain recognition for what the men of the AMERICAN MERCHANT MARINE have accomplished for our country in war and peace. Our key purpose is to educate the American public as to the importance of having a strong American flagged Merchant Marine at all times and to promote to the best of our ability the cause of AMERICAN SEA POWER and the AMERICAN SEAMEN.

## **CONSTITUTION**

### **Article I - NAME OF THIS ORGANIZATION**

The name of this corporation is the “AMERICAN MERCHANT MARINE VETERANS”.

### **Article II - ENABLING LAW**

The corporation is organized pursuant to the State of Florida “Not for Profit” Corporation Act.

### **Article III – OUR PURPOSE IS:**

- A. To preserve the spirit of Comradeship among the American Merchant Marine Veterans, and our fellow seamen who served in the Merchant Marine Fleets of the nations allied with the United States.
- B. To perpetuate the memory of our dead, assist their widows, and help worthy comrades.
- C. To maintain and extend the institution of American freedom and encourage loyalty to our country’s laws and Constitution.
- D. To publicize the services of the American Merchant Marine Seamen in World War II, and gain recognition for the services and sacrifices of Korean, Vietnam and Middle-East Wars as recognized by the Veterans Administration.
- E. To have our nation always maintain a modern and strong Merchant Marine as it is a national and economic necessity, but more importantly a potent arm of defense and

offense as it has already proven to be. We desire a well-trained and efficient manpower to crew this fleet.

- F. To conduct and carry on its activities for nonprofit purposes, in any state or territory of the United States, or in any foreign country, in conformity with the laws of such state, and that no part of net earnings shall inure to the benefit of any Member, Director or Officer.
- G. There shall be no discrimination by any Officer, Director, or Member against anyone because of race, creed or national origin.

#### **Article IV - MEMBERSHIP**

ELIGIBILITY: The following persons are eligible for membership in this Corporation:

- A. Applicants must submit proof of service in the American Merchant Marine at any time, or proof of service as a seaman on any countries' vessels.
  - a. Certificate of Discharge from ocean voyages (Foreign or Coastal) or inland waters.
  - b. Members of the U. S. Maritime Service (Active or Inactive including Academy Cadets.)
  - c. Members of U. S. Public Health Service who were engaged in the treatment of U. S. Seamen.
  - d. Armed Guards serving on U. S. Merchant Marine vessels with DD Form 214.
  - e. Members of any uniformed United States Armed Service with a DD Form 214.
  - f. Wives and widows of members in good standing.
  - g. Children, grandchildren and descendants of members in good standing.
- B. The following persons are eligible for Associate membership in the American Merchant Marine Veterans:
  - a. Any and all persons who have the desire and interest to support the purpose of the American Merchant Marine industry. Associate members shall be held to 2.5 percent of the membership.
- C. Honorary membership may be offered to any individual who through the Arts and Sciences and/or through his or her efforts has furthered the cause of the Merchant Marine. Such membership must be approved by the Board of Directors. Honorary members pay no dues and will not have a vote in membership elections or other matters.
- D. Each member shall pay annual dues as prescribed by the ByLaws.

#### **Article V - ORGANIZATION**

Amended March 2018

The governing body of this organization shall be a Board of Directors to be constituted as the ByLaws prescribe.

#### **Article VI - MEETINGS**

- A. The organization will meet once a year to elect officers and conduct such other business as may be properly come before the membership. This meeting shall be called the National Convention.
- B. The Board of Directors shall convene at the National Convention or at any other time that may be determined necessary by a majority of the Board.

#### **Article VII – AMENDMENTS TO THE CONSTITUTION AND BYLAWS**

Amendments to this Constitution and ByLaws may be proposed by a Motion adopted by the Board of Directors and approved by a majority vote of the membership votes officially cast.

# **AMERICAN MERCHANT MARINE VETERANS**

## **BYLAWS**

### **ARTICLE 1 - MEMBERSHIP**

- A. All paid up members shall be considered as active members and entitled to privileges of voting and active participation in all activities of the organization.
- B. Application for membership shall be accompanied by national dues. Applicants must meet eligibility requirements as described in the Constitution.
- C. At some future date, life membership may be available upon payment of life membership dues as established by the National Board of Directors.
- D. Membership in this organization shall be suspended for non-payment of dues 90 days after they become due. Names of suspended members shall be removed from the mailing list of the National publication.
- E. The National membership list of names and addresses shall not be released to anyone, public or private concerns. This does not preclude distribution and use of member contact information by Officers and Board of Directors members in the performance of their assigned duties. If any individual Chapter wishes to exchange their membership list with another Chapter, that would be at their discretion.

### **ARTICLE II - NATIONAL OFFICERS**

#### **SECTION 201 – ELECTED OFFICERS AND VACANCIES**

- A. The officers of the national organization shall consist of:
  - 1. President
  - 2. Executive Vice President and a minimum of 7 Regional Vice Presidents.
  - 3. Secretary
  - 4. Treasurer
  - 5. National Directors (all duly elected officers, Past Presidents, Regional Vice Presidents and Executive Officers of each Chapter shall be a National Director.)
  - 6. All AMMV Past Presidents shall serve as an ex-officio director of the Board.
- B. An elected officer may resign at any time. Such resignation shall be made in writing to the Board of Directors.

- C. Any officer, elected or appointed, may be removed for just cause by the Board of Directors by a majority vote whenever the best interests of the organization will be served thereby.
- D. Any vacancy occurring in any office, except that of President, shall be filled by a person receiving a majority of votes of the Board of Directors at a special meeting or by mail poll after proper notification. A vacancy in the office of President shall be filled by the Executive Vice President.

## **SECTION 202 – ELIGIBILITY, NOMINATIONS, ELECTION AND TERM OF OFFICE.**

- A. To be eligible for any National or Regional Vice President office, the candidate must be a member in good standing. A member may hold one elective office and more than one appointive office. Elections for National office will be held on odd numbered years; elections for Regional Vice President office will be held on even numbered years.
- B. All persons seeking National or Regional Vice President office (including those eligible for re-election) shall notify AMMV National Headquarters (Office Administrator) and/or the National President by mail or email by December 31<sup>st</sup> of the year prior to desired election. Beginning on January 1<sup>st</sup> of any given election year, no previously undeclared candidate(s) will be considered. Nominations “from the floor” during the National Convention for any National or Regional Vice President office(s) will not be allowed. All elected National Officers shall hold their office for a term of two (2) years commencing at the start of the fiscal year, as stated in Section 209 of the ByLaws, and shall hold office for a term of two (2) years or until installation of their successor, if after the end of their fiscal elected year. Installation shall be before the end of the annual convention at which the officer is elected. In the absence of any duly elected officer, he or she may be installed when represented by any member selected for that purpose. No president can serve over two (2) year terms. However, if the president is elected after absence from office for at least one (1) term, then he or she shall be eligible for two (2) consecutive two (2) year terms.

## **SECTION 203 – NATIONAL CONVENTION**

- A. The National Convention shall be held at least one week prior to, or one week after National Maritime Day, May 22<sup>nd</sup>. Some flexibility may be allowed for obtaining favorable rates, with the approval of the Executive Committee of the Board of Directors.
- B. The AMMV News magazine (official quarterly publication of the AMMV organization) shall serve as official notice to all members and existing chapters of the National Convention dates, location, and details.
- C. The National Convention location should, when possible, be rotated by Region.

- D. The minutes from the National Convention will be published in the next regularly scheduled issue of the official publication (AMMV News).
- E. The purpose of this convention shall be to conduct business necessary for the efficient operation of the organization.

**SECTION 204 – ELECTED NATIONAL OFFICERS – POWERS & DUTIES.**

**A. PRESIDENT**

- 1. The National President shall preside over all meetings of the Board of Directors and the National Convention. The National President shall work to the best of his ability to further the aims and policies of the organization. The National President shall coordinate and supervise the activities of all National Officers.
- 2. The President shall be able to receive Expense allowance, to cover the cost of performing his duties in office, not to exceed \$4,000.00 annually.
- 3. Section 204 (F) details duties of the National President in relation to meeting payment obligations of the organization.

**B. EXECUTIVE VICE PRESIDENT**

- 1. The National Executive Vice President shall assist the President and in his/her absence, shall discharge the duties of the National President and shall assume the duties of the President for the remainder of term if the President is absent for any reason, including resignation or inability to serve for any reason.
- 2. The Executive Vice President shall be able to receive expense allowance, to cover the cost of performing his duties in office not to exceed \$1,500.00 annually.

**C. REGIONAL VICE-PRESIDENT**

- 1. The National Regional Vice President shall assist the President and the Chapter Executive Officers (CEO) and Board of Directors in the operations of their respective districts when needed.
- 2. They shall be available to each Chapter to arbitrate any Constitution and ByLaws violations.
- 3. They shall check and screen all Regional District applications for Charter to National. They must adhere to the Constitution and reject any infractions.

4. They shall notify all local Chapters within a Region and the Executive Officer and Board of Directors of a pending formation of same.
5. They shall carry out all assignments as directed by the National President and direct all correspondence to the National Office and a copy of all Chapters in their district.
6. The Regional Vice President shall be able to receive expenses to cover the cost of traveling to Chapters in his region. Also, for the postage and phone expenses while performing the duties of his office. This amount not to exceed \$600.00 annual expense allowance and is to cover the cost of performing his duties in office.

#### D. SECRETARY

1. The National Secretary shall attend all business meetings of the National Convention and meetings of the Board of Directors and shall be responsible for the minutes of the meetings. The National Secretary shall provide the Editor of the official publication with the edited and typed proceedings of the business sessions of the National Convention within thirty (30) days after the last business session of the National Convention.
2. The National Administrator will receive all monies and deposit them into the National Treasury and shall provide reports of deposits to the National Secretary to include information on all members who paid their dues. The National Secretary shall perform such duties as the National President may from time to time prescribe. The National Secretary shall make a quarterly report of his/her activities to the National President with a copy to the National Executive Vice President. The National Secretary may receive compensation as specified by the Board of Directors.
3. The National Secretary shall notify the Board of Directors of all meetings.
4. The National Secretary shall be able to receive expense allowance, to cover the cost of performing his duties in office not to exceed \$500.00 annually.

#### E. TREASURER

1. The National Treasurer shall attend all business meetings of the National Convention, and all meetings of the Board of Directors. The National Treasurer shall have custody of all monies, bonds and item of value; and shall compile and maintain a complete set of records to divulge the true financial records (status) of the organization suitable to be audited by a Certified Public Accountant.

2. The National Treasurer shall insure valid signatures specimens are on record at all institutions of deposit. Section 204 (F) details duties of the National Treasurer in relation to meeting payment obligations of the organization.
3. The National Treasurer shall purchase, at the expense of the organization, a fidelity bond covering all officers authorized to sign or countersign checks and any National officers handling monies or securities of the organization. The National Treasurer shall prepare a financial statement for the fiscal year ending June 30<sup>th</sup>. This fiscal statement shall be published in the August issue of the official publication. The National Treasurer shall prepare for the Board of Directors a quarterly financial report of the 15<sup>th</sup> day following the end of the quarter.
4. The National Treasurer shall be able to receive expense allowance, to cover the cost of performing his duties in office not to exceed \$500.00 annually.

#### F. NATIONAL OFFICERS & METHODS OF ISSUING MONIES/PAYMENTS DUE

1. There are two methods in which AMMV will meet its payment obligations. The first method is the longstanding traditional method, in which the National Treasurer shall pay out monies in payment of obligation only on authority given by the National President. If using this payment method, all checks shall be signed by the National Treasurer and countersigned by the National President or any Board Member (when necessary). The second method allows for the National President to directly issue due payments electronically via the use of online banking. If using this payment method, the National Treasurer will be notified by the National President via email with the details of each electronic transaction. The National Vice President shall be copied on such emails.
2. It is understood that the four elected National Officers have the means to set-up an online profile and to view AMMV's transaction record at any time. On the authority of mutual agreement between the National President and the National Vice President, the National Office Administrator shall have "guest viewing" privileges to access to this online account in order to better perform his/her duties.
3. It is intended that the use of online banking, which allows for the automatic record keeping of payment transactions, will provide a quick and accurate recall of transactions for use in any audit situation. In addition, the separate email records of the National President, Vice



President and Treasurer would give auditors additional information regarding the processing of online transactions.

## **SECTION 205 – NATIONAL BOARD OF DIRECTORS.**

- A. The property and business of the organization shall be managed by a Board of Directors as per Constitution Article V. and as constituted per Article II Section 201, 205 and 206 of the ByLaws. A National Board of Directors member, unable to attend a meeting, may appoint, per proxy, a member in good standing to fulfill his duties. The Board of Directors member unable to attend shall submit a Proxy letter to this effect to the National President before said meeting.
- B. As entrusted by the Board, the National President, as Chairman of the Board, will designate an Executive Committee of the Board, consisting of the National Officers, immediate Past President and the Regional Vice Presidents, which will be empowered to act in all capacities of the Board when it is not in session, except for the authority to remove any elected National or Regional officer, or the authority to expend funds beyond an amount that is 10 percent of the approved Annual Budget. All actions of the Executive Committee shall be decided by a simple majority vote. The Committee shall maintain a written record of all of its proceedings and votes taken and render a written report to the Board not later than 10 days prior to the call to order of the National Convention. Two-thirds of the Executive Committee, including the National President, shall constitute a quorum for the transaction of Board of Directors' Business.
- C. The National President shall call a meeting of the Board of Directors not later than the calendar day prior to the call to order of the National Convention. Additional meetings or polling by mail or telephone of the Board, may be called by the National President, or by a majority of the Board whenever the Executive Committee of the Board is unable to act on an issue or is viewed as having exceeded its authority.
- D. A legal quorum shall consist of a majority of the Board of Directors, one of whom shall be either the National President or National Executive Vice President.

## **SECTION 206 - VOTING PROCEDURES**

### **A SELECTION OF NATIONAL DELEGATES**

Voting procedures (excluding full Board voting) outlined under Section 206 (A), paragraphs 1-4, will apply only for the purposes of voting on organizational Resolutions and/or other incidental business that may arise at the National Convention. Voting for National and Regional officers will be conducted via a mail ballot system as defined in Section 206 (C); voting on proposed changes to the AMMV Constitution and ByLaws shall also be conducted via a mail ballot system per Section 510 (A).

Amended March 2018

1. Each local Chapter, at a regular meeting prior to the National Convention shall select a delegate or delegates to the National Convention to represent the local chapter members. The delegate or delegates shall represent the voice of their Chapter.
2. The local Chapter Executive Officer shall certify their Chapter delegates to represent the Chapter members and the respective secretaries will authenticate the delegates' credentials letter. The credentials letter of the local Chapter delegates shall list by name each member of the local Chapter they are representing. If the CEO is not attending the convention, a delegate may be designated to serve as a representative of the CEO, for convention Board of Directors business. Such credentials letter shall be initiated by each individual Chapter.
3. Each delegate will present the credentials letter to the Nominating & Credentials Officer prior to the first business meeting of the National Convention. The Nominating & Credentials Officer, with assistance from the National Office Administrator, will verify the credentials letter and determine if each member is in fact a bona fide member.
4. National delegates who have not presented their credentials to the Nominating & Credentials Officer before the Convention has been called to order will not be permitted to vote.

#### B. VOTING BY INDIVIDUALS

National members-in-good-standing with "Member-At-Large" status, while attending the National Convention, may cast an individual vote in each instance where a vote for an organizational Resolution or other incidental (non-Board) business is called for. Voting for National and Regional officers will be conducted via a mail ballot system as defined in Section 206 (C); voting on proposed changes to the AMMV Constitution and ByLaws will be performed in conjunction with the mail balloting system for officers, as mandated in Section 501 (A).

#### C. COUNTING AND RECORDING THE BALLOTS BY COMMITTEE

1. On any given election cycle, ballots for National offices or Regional Vice President offices shall be mailed by AMMV HQ to all National members-in-good-standing, regardless of whether such members are members of a chapter or Members-At-Large, and regardless of whether such members are full or associate members.
2. Each ballot will include a return envelope with current address of the AMMV National Office Administrator.

3. The National Office Administrator will collect and transport all received ballots to the National Convention. All ballot envelopes will remain unopened.
4. A three-person Ballot Committee will be selected during the general business session to officially tally the votes and declare a winner for each contested office and declare a result of each proposed change to the AMMV Constitution & ByLaws.
5. Any member-in-good-standing who wishes to protest and personally review the results may do so in the company of the selected three-person Ballot Committee and at least two officers (National and/or RVP). If such a recount is called for, it must be conducted on the same business day as the original count.
6. If only one candidate for a given office has been established per Section 202 (B), then such candidate will be considered the winner of said office; no counting/tallying will be necessary.
7. On any given election cycle, if all candidates qualifying per Section 202 (B) are unopposed, then such candidates will be considered the winners of their pursued offices; and, if simultaneously, there are no proposed changes to the AMMV Constitution & ByLaws, then no mail balloting will be conducted during such election cycle.

## **SECTION 207 – APPOINTED OFFICERS**

### **A. APPOINTED OFFICERS**

The President shall, by resolution, appoint the following officers, and said appointments shall be announced by the National President and published in the first issue of the official publication following the National Convention.

1. JUDGE ADVOCATE – who shall be prepared at all times to give such legal counsel and advice as the National President or National Convention may require. Robert’s Rules of Order shall be the authority of all questions of parliamentary law and procedure, unless otherwise specifically provided in this Constitution & ByLaws.
2. CHAPLAIN – the Chaplain may, when possible, be an ordained clergyman and perform such duties as required by the Board of Directors.
3. EDITOR – (Official Publication)
  - a. The official publication shall be known as American Merchant Marine Veterans News. This publication shall be issued at least once each quarter. Any orders, official notices, and the financial reports published

in the official publication shall be deemed sufficient and lawful notice to all members for all purposes whatsoever.

b. The editor shall be responsible for the publication and distribution of the official publication in accordance with instructions from the Board of Directors and approval of the President.

4. HISTORIAN – the Historian shall compile and maintain a brief history of the activities of this organization during his or her term of office, to be kept as a permanent record of this organization and shall perform such other duties as his or her office may require or the Board of Directors may direct.
5. PUBLIC RELATIONS OFFICER – the Public Relations Officer shall coordinate any and all publicity of the organization.
6. NOMINATING & CREDENTIALS OFFICER – the Nominating & Credentials Officer shall oversee all nomination, election, and Ballot Committee activities in strict accordance with AMMV’s Constitution & ByLaws and make any decisions which may arise in such areas.

#### **SECTION 208 – STANDING COMMITTEES**

- A. The President shall, by resolution, appoint the following Standing Committees, which shall include at least one member of the Board of Directors. Said appointments shall be announced by the National President and published in the official publication.
  1. VETERANS AFFAIRS COMMITTEE – To compile information that will benefit Veterans, form policies beneficial to Veterans. Establish relations with other Service Veterans’ organizations.
  2. EDITORIAL COMMITTEE – To assist the Editor of the official publication whenever necessary and submit any policy changes to the Board of Directors.
  3. CONVENTION COMMITTEE – The Convention Committee will oversee the planning and execution of our annual National Convention, including all financial duties and the production of the convention program book (aka Memory Book).
  4. GOVERNMENT AFFAIRS – This committee shall report on situations which could be detrimental to the well-being of the organization as well as Federal and State legislation pertaining to Merchant Marine Veterans. Also, legislation promoting the growth of the American Flag Merchant Marine.

5. CONSTITUTION & BYLAWS COMMITTEE
6. INTERNET & SOCIAL MEDIA COMMITTEE – This committee shall oversee the official AMMV website and all official AMMV social media platforms such as Facebook, Twitter, etc. Committee members shall supervise the volunteers who run these sites to ensure that AMMV’s views are properly represented.
7. SPECIAL PROJECTS & VETERANS OUTREACH – This committee will work under direction of the National President to facilitate advance outreach efforts and to carry out special projects based upon the needs of the organization.
8. MEMBERSHIP COMMITTEE – This committee will work diligently to recruit new members and to retain existing members.

- B. The appointed officers and chairpersons of Standing Committees will prepare, in writing, a quarterly report of their activities to the National President. At the National Convention, an annual report will be rendered by each appointed officer and chairperson of the Standing Committees.

#### **SECTION 209 – FISCAL YEAR**

The fiscal year of the organization shall be July 1st through June 30<sup>th</sup> of the next calendar year.

#### **SECTION 210 – NATIONAL DUES**

1. The National dues shall be established by the Board of Directors, voted on by the membership at the National Convention and published in the official publication. The dues shall include a subscription to the official publication.
2. Dues are payable by July 1 of the current fiscal year. Member’s dues not paid by September 30 of the current fiscal year are removed from the mailing list.

#### **SECTION 211 – BUDGET**

The Board of Directors shall recommend and the membership shall approve a budget for the National organization at the annual convention.

## **ARTICLE III - CHAPTERS**

### **SECTION 301 – FORMATION – CHARTERING**

- A. A local Chapter may be formed by the authority of the Board of Directors on the application of not less than ten (10) persons, members of the American Merchant Marine Veterans, Inc., or who have applied for membership. Membership in the National organization is a mandatory prerequisite for valid membership in any Chapter.
- B. The application for a Chapter shall be signed by all elected officers pro-tem and shall list the names of all charter members of the Chapter. The application shall be forwarded to the National Secretary for approval of the Board of Directors. The Chapter shall comply with the National Constitution and ByLaws.
- C. Each Chapter must be self-supporting. Each Chapter shall be responsible for their own assets, property and liabilities. Each Chapter is also permitted to establish their own welfare fund.
- D. The National AMMV shall establish districts within the fifty (50) states. There shall be at least seven (7) districts as per Article II – NATIONAL OFFICERS, Section 201.A.2 of the ByLaws.
- E. These district boundaries may be changed, depending on the total membership in a said district. The National Board of Directors shall set district boundaries at the National Convention based upon the total chapters and the per capita tax for the given year. All Chapters shall receive a true copy of such districts and boundaries.
- F. All Chapters shall display the National logo on all chapter stationery.

### **SECTION 302 - SUSPENSION AND REVOCATION OF CHARTER.**

The charter of a Chapter may be suspended for a period of sixty (60) days for violation of the laws and usage of the National organization. If no appeal is made within the period of sixty (60) days, the Charter of the Chapter may be canceled by a two-thirds (2/3) majority vote by the Board of Directors provided that thirty (30) days before the charter is suspended, the CEO of the Chapter in question shall have been notified in writing, by certified mail, by the National Secretary of the charges against it.

### **SECTION 303 – CHAPTER DUES**

Each Chapter shall set its own dues.

### **SECTION 304 – ELIGIBILITY TO OFFICE**

National membership shall be a requisite for holding office.

Amended March 2018

## **SECTION 305 – VOTING PROCEDURE**

Chapter members must also hold National member status to receive mail-in ballots as described throughout Section 206 and in Section 501 (A).

## **ARTICLE IV – WELFARE FUND**

### **SECTION 401 – PURPOSE**

The fund shall be used for the benefit and welfare of the members and their next of kin as a group. Monies accrued from donation, drives, sales of memorabilia, and shall be dispensed by action of the Board of Directors through the National Treasurer.

### **SECTION 402 – ACCOUNTING**

Each outgoing National President shall request an accounting from the National Treasurer of the donations received and funds expended. He or she will then report to National Convention on the reasonableness and propriety of expenditures.

## **ARTICLE V – AMENDMENTS**

### **SECTION 501 – AMENDMENTS**

- A. The AMMV Constitution & ByLaws shall be amended by a majority vote of officially cast ballots per a mail balloting system which will be performed in conjunction with the mail balloting for National and Regional Officers.
- B. Proposed amendments with supporting statements shall be submitted to the Board of Directors for printing in up to two publications of the AMMV News magazine prior to the National Convention, subject to publishing deadlines.
- C. Non-procedural National Convention amendments to the Constitution and/or ByLaws, approved at the National Convention shall not go into effect until the start of the next fiscal year, as stated in Section 209 of the ByLaws. Amendments of National Convention procedures may take effect as proposed by the amendment and approved at the convention.

## **ARTICLE VI – DISSOLUTION OF THE CORPORATION**

### **SECTION 601 – DISSOLUTION OF THE CORPORATION**

- A. The corporation shall or may be dissolved and its affairs wound up by a two-thirds (2/3) vote of the corporation's voting members.

- B. In the event of dissolution, the Board of Directors shall, after paying or making provision for payment of all liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious or scientific purposes as shall at the time qualify as an exempt organization under Section 501 C... (3) of the Internal Revenue Code of 1954 (or corresponding provision of any future United States Internal Revenue Law), as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by
- C. A court of competent jurisdiction in the country in which the principle office of the corporation is then located; exclusively for such purposes as to such organization as such Court shall determine which are organized and operated exclusively for such purposes.
- D. Upon a vote to dissolve the AMMV Corporation, the original records of the history of the organization, the records of the Historian, copies of the AMMV News, photographs, audio tapes, video tapes and any other appropriate historical records shall be turned over to a Maritime museum willing to accept the same, such as the Merchant Marine Academy Museum, Museum Ships, Maritime Museum or a college/university library/archives.
- E. All remaining assets shall be distributed equally between the five (5) WWII Merchant Marine Memorial ships:
  - 1. SS Jeremiah O'Brien
  - 2. SS Lane Victory
  - 3. SS American Victory
  - 4. SS John Brown
  - 5. SS Red Oak Victory

## **ARTICLE VII – GRIEVANCES AND LITIGATION**

### **SECTION 1 – PROCEDURE FOR RESOLVING MEMBERSHIP GRIEVANCES.**

- A. Every member or officer or chapter or region must follow the following procedure to resolve a grievance:
  - 1. Every member agrees to follow this procedure for resolving grievances as a pre-condition of membership in the American Merchant Marine Veterans Association.
  - 2. The grievance shall be a written statement setting forth the facts, the identity of the people involved, a detailed account of the grievance, and a statement of how the grievant wants the grievance to be resolved.



3. The grievance must be submitted within thirty (30) days of the date of the occurrence by certified mail, return receipt requested, addressed to the National President at National Headquarters.
4. The written statement must be sworn to in an affidavit form before a Notary Public.
5. Within thirty (30) days of the receipt of the grievance, the National President is to reply in writing to the grievant by certified mail, return receipt requested, stating the solution or resolution to the grievance. The National President may also request additional information.
6. If the grievant is not satisfied with this solution or resolution the grievant is to notify the National President within ten (10) days by CERTIFIED MAIL, return receipt requested, stating the reasons and requesting that the grievance be referred to the National Board of Directors by way of appeal. The National President will submit within Ten (10) days the record of the grievance to the National Board of Directors for a vote by this body and notification to the grievant with thirty (30) days.
7. By becoming a member of the AMMV, a member or officer or chapter or region accepts that the AMMV is a not for profit Florida Corporation subject only to the laws and jurisdiction of the state of Florida and its courts.
8. Under no circumstances is the grievant to resort to any court until the aforesaid procedure has been completed. Therefore, if resort is made to a civil court it must be a Florida court located in Lee County. If the grievant resorts to a Florida court before following the procedure set forth herein said grievant will automatically forfeit membership in AMMV. If the grievant does not obtain a judgment against the AMMV or its officers in the Florida civil court, the grievant agrees to reimburse the AMMV for its legal expenses, attorney fees, and court costs incurred in defending this suit.
9. If the grievant resorts to a court in any jurisdiction other than the state of Florida, said grievant will automatically forfeit membership in AMMV.