



By-Laws
of
The Department of New York
Sons of Union Veterans of the Civil War



Article I

Name

Section 1. This Organization shall be known as the Department of New York,
Sons of Union Veterans of the Civil War.

Article II

Department Symbol

Section 1. The symbol of the Department of New York shall be a Red Maltese Cross with
Gold border, known as the badge of the Nineteenth Army Corps.

Article III

Encampments

- Section 1. The dates and location of the annual Encampment of the Department of New York shall be selected by a committee, known as the Department Encampment Committee, consisting of two (2) members/associates of the Department appointed by the Department Commander, along with the Department Commander as an ex-officio member. The Department Encampment Committee shall make reasonable efforts to hold the annual Encampment in a different region of the Department each year so as encourage equal access to the Encampment by members/associates throughout the Department. The Department Encampment Committee shall meet with the members of the DUVCW and other Allied Orders which exist as Departments within the State of New York and shall seek to reach a consensus in conjunction with the DUVCW and said other Allied Orders as to the date and location of the Department Encampment so as to ensure the participation of as many of said other Allied Orders as may be possible at said Encampment. However, the final decision as to the date and location of the Encampment shall rest with the Department Encampment Committee and said decision regarding the date and location of the annual Encampment for the next succeeding year shall be announced at the Department Encampment for the year immediately preceding that Encampment. The Department Encampment Committee shall also be responsible for the planning, coordinating, or delegating, all tasks and aspects concerning the holding of the annual Encampment of the Department of New York. The Department Encampment Committee may delegate such tasks, including but not limited to the hosting of the Encampment, to one or more of the Allied Orders. However, the Department Commander shall have sole authority to execute any Departmental contracts in relation to said Encampment.
- Section 2. The hour of opening each *Encampment* business session shall be fixed by the Department Commander.
- Section 3. The business sessions of the *Department Encampment* will be limited to the Saturday of the Encampment weekend, with Sunday morning available should additional time be required.
- Section 4. The hotel and banquet expenses of the Commander-in-Chief in attending the *Department Encampment* will be paid for by the New York Department.
- Section 5. The Department Commander shall call a *Mid-Year Meeting*, between September 1 and November 1 at some centrally located point for the purpose of discussing and formulating plans for the betterment of the Order, such plans to be submitted to the following annual *Department Encampment* for such action as a majority vote of those present at said *Encampment* may decide.
- No funds of the Department may be disbursed at the *Mid-Year Meeting* and the Department shall be in no way responsible or liable for the traveling expenses of anyone attending the *Mid-Year Meeting*.

Section 6. The General Grant March shall be the official march of the Department Encampment.

Article IV

Revenue

- Section 1. The *Charter Fee* for a new Camp shall be twenty-five dollars (\$25.00). Such fee, in the form of a check or money order payable to New York Dept., SUVCW, will accompany the application for permission to form a Camp.
- Section 2. Each Camp shall pay to the Department, as per capita tax on each and every member on the *Camp Roster*, the sum of at least six dollars (\$6) per year. Life Members shall be exempt from per capita dues assessed by the Department. Additional per capita dues may be payable to the Department in order to pay per capita dues owed to the National Organization.
- Section 3. A registration fee shall be assessed against each member/associate attending all or any part of every Department Encampment. The amount of the registration fee shall be set by vote of the Department Council at the preceding Department Encampment based upon the recommendation of the Encampment Committee. The total amount received at any *Encampment* shall be duly received by the Department Treasurer. Any unused portion of any registration fees shall revert to the *General Fund*.

Article V

Expenses

- Section 1. The entire expenses of the Department Commander shall be charged to Organization work and calculated on a yearly basis, not to exceed seven hundred fifty dollars (\$750.00). Said expenses shall not include the hotel expenses for the Department Commander in attending all sessions of the Department Encampment nor shall it include the actual transportation and hotel expenses of the Department Commander in attending the meeting of *the Commandery-in-Chief*.
- Section 2. The Department Commander, if attending all sessions of the *Department Encampment* shall be allowed hotel expenses. This amount shall not exceed the sum of two hundred and fifty dollars (\$250.00).
- Section 3. The actual transportation and hotel expenses of the *Department Commander*, incurred in attending the meeting of the *Commandery-in-Chief* shall be paid by the Department. This amount shall not exceed the

sum of two hundred fifty dollars (\$250.00).

- Section 4. No expenses shall be incurred by any Department Officer, elective or appointive, without the prior consent of the Department Council and only for good cause shown, except as is included in the budget approved by the previous Department Encampment, or as herein otherwise provided.
- Section 5. The Department shall maintain an annual membership in “The Friends of the Ulysses S. Grant Cottage, Inc.” at the “Patron” level.
- Section 6. Expenses for officers for purposes of these bylaws shall mean those expenditures incurred on behalf of the Department of New York that are commonly incurred by officers for the purposes of operating a not for profit charitable organization including but not necessarily limited to such items as postage, transportation mileage, tolls, parking, stationary, office supplies, organizational software, long distance phone calls, or the purchase of organizational forms, documents, promotional material, publications or similar matter from the National Order. The purchase of capital assets, plaques, flags or gifts or similar items for or on behalf of the organization or its members shall not be deemed an officer expense. No expenses shall be reimbursed unless accompanied by a receipt or similar proof of cost.

Article VI

Department Permanent Fund

- Section 1. The Permanent Fund of the Department of New York shall consist of all monies given or bequeathed to the Department and not designated for some other purpose by the donor or testator, and such other monies as may be added thereto by vote of the Department Encampment or the Department Council.
- Section 2. Such funds shall be kept on deposit in one or more bank institutions whose deposits are fully insured to the amount of the deposit, or invested in obligations of the United States.
- Section 3. All monies shall be deposited, and all investments made in the name of the Department.
- Section 4. No part of the principal of any of the funds covered by this Article shall ever be spent, and all monies accruing from interest or dividend shall be held as part of the principal of the fund to which they accrue.
- Section 5. By vote of the Department Encampment or of the Department Council, the income of the funds covered by this Article accruing in the year in which such vote is passed, or any portion of such income, may be transferred to the General Fund and used for the expenses and purposes of the Department, but any income not so transferred shall be added to the principal.

Article VII

Headquarters and Officers

- Section 1. It shall be the duty of the Department Commander to have exclusive charge of the Organization work of the Department. He shall have the power to employ one or more Department Organizers and to appoint any member of the Department to assist in Organization work. The expenses incurred by the same, outside of those for whom sums are included in the budget approved by the Department Encampment, shall be defrayed from the appropriation allowed the Department Commander for Organization work.
- Section 2. The Department Secretary shall be elected and shall serve for a term of three years.
- Section 3. The Department Treasurer shall be elected and shall serve for a term of three years.
- Section 4. The Department Secretary shall attend to the mailing to and compilation of all reports from Camps and Camp Officers; shall answer all correspondence directed to him for the Department; and shall issue all circulars when received from the Department Commander.
- The Department Secretary shall keep on file copies of each member's application, as well as a chronological roster of members based on the date of joining the Order. This roster will include, but is not limited to, name of member, date of joining, Camp, Civil War ancestor and unit or ship served with during the Civil War.
- The Department Secretary shall be reimbursed for expenses up to and including four hundred dollars (\$400.00) per year. If serving as a Secretary/Treasurer, he shall be reimbursed for total expenses for both offices of up to five hundred twenty-five dollars (\$525) per year. Evidence of said expenses shall be provided to the Department Council or their designee for approval prior to reimbursement.
- Section 5. The Department Treasurer shall keep accurate record of all his financial transactions and shall deposit all funds in a bank, or other depository, institution or account which has been approved of by the Department Council at least once each month. The Department Treasurer shall also cause an original copy of each banking statement from each Department account to be sent to the Department Commander with a duplicate copy to the Department Treasurer. He shall pay bills when properly audited and approved for payment by the Department Commander. The Department Treasurer shall be reimbursed for expenses up to two hundred twenty-five dollars (\$225) per year. Or, if serving as a Secretary/Treasurer, he shall be reimbursed for total expenses for both offices of up to five hundred twenty-five dollars (\$525) per year. Evidence of said expenses shall be provided to the Department Council or their designee for approval prior to reimbursement.

At least one week but not more than 2 weeks prior to the Department Encampment business meeting the Department Treasurer shall transmit to the Department Council Chairman for dissemination to the Department Council copies of all the Department books and accounts reflecting all financial activity since the prior Encampment. Said books and accounts shall include but not necessarily be limited to copies of all Department monthly bank statements for all accounts, check and deposit registers, investment, and CD account statements along with a copy of the most recently adopted budget of the Department and the prior Encampment's Treasurers report and financial statement. In addition, in the event of a Department midyear meeting the Treasurer, if requested by the Council Chairman, shall make available for review by the Department Council at said midyear meeting copies of all monthly bank account statements issued since the prior Encampment.

Section 6. Authorization from the Department Commander must be obtained by the Department Treasurer before any check in excess of five hundred dollars (\$500.00) is written unless said check represents the Department's per capita payment to the National Organization which accompanies the Department's annual report or is in payment of a budgeted contractual obligation of the Department pursuant to a contract signed by the Department Commander for purposes of the Department Encampment or pursuant to a verbal agreement of the Department with the other Allied Orders to share an expense at said Encampment.

Section 7. The elected Department Junior Vice Commander will have responsibility for coordinating the receipt of new Members-at-Large from our National Junior Vice Commander-in-Chief and our National website recruiting program. Upon his receipt of an approved applications and correct payment from our National Order, he will make prompt contact with the new member and welcome him to the Department of New York as a Member-at-Large. This contact may be made in writing, by phone or by e-mail. He will further make the new member aware of the local Camps in his area, and any others that he may be interested in joining, and will make a reasonable attempt to have that new member agree to join a local Camp. If the new member agrees to join a Camp in the Department of New York, then the Junior Vice Commander will forward the application and fees to that Camp, and will follow up to ensure that the member is contacted, elected, and initiated into the Camp within thirty (30) days, reporting said election and initiation to the Department Junior Vice Commander in any convenient manner, and to the Department Secretary in duplicate on Camp Status Form 30 not later than the 15th day of the following month. Reasonable exception may be made to the thirty-day limit due to Camps not meeting during holiday or summer seasons. If this is not done, either due to inaction by the Camp or their decision not to admit this new member, the Junior Vice Commander will retrieve the materials from the Camp and will forward them to the Department Secretary who will report them as Members-at-Large on Form 30. If the new member does not wish to join a New York Camp, then the Junior Vice Commander will forward his

application and fees directly to the Department Secretary for enrollment as a Member-at-Large.

Section 8. The Department Commander shall, in consultation with the Department Secretary, also appoint an Assistant Department Secretary who shall be responsible for preparing the Encampment Proceedings which, upon review and approval of the Department Secretary, shall be posted on the Department website in accordance with these bylaws and shall further assist the Department Secretary and the Department Council in such other ways as determined by said Department Secretary.

In addition to those outlined in the National Constitution and Regulations, the Officers of the Department of New York may include an Eagle Scout Recognition Officer, Archivist, Signals Officer, Guide, Guard, Musician, Color-Bearer, Webmaster, Veterans Home Visitation Officer, Adjutant to the GAR Highway Officer and JROTC Liaison Officer.

Section 9. The Department Senior Vice Commander shall also serve as the Department Public Relations Officer. As Department Public Relations Officer, he shall maintain a list of States, Regional and National media outlets and shall disseminate to said media outlets information about Department of New York and New York Department Camps events, projects and accomplishments that may be of State, Regional or National interest. Department Officers and Camp Commanders shall forward to him on a regular basis, events, projects, and accomplishments for consideration to be disseminated through his office.

Section 10. All elected officers of the New York Department, SUVCW, shall provide a mailing address and if different, a permanent address.

Article VIII

Transfer of Information

Section 1. The retiring Department Commander shall within ten (10) days after the close of the annual Encampment, forward to his successor all information in regard to prospective Camps and organizational work.

Article IX

Department Council

Section 1. The Department Council shall have at least two stated meetings each year, the first of which shall be held immediately after the installation of its members and after the final adjournment of the Encampment. At this meeting they shall organize, electing a Chairman and Secretary, and shall

act upon any bills of the Department Officers for allowable expenses, which may be presented to them, in detail and regular form.

Section 2. The second stated meeting shall be held prior to the Department Encampment. Said meeting shall be for the purpose of a full audit of the Department books and accounts and for the consideration of such other business as may be brought to their attention. Said audit shall include but is not limited to examining copies of monthly bank statements for all Department accounts, check and deposit registers, copies of actual investment and CD account statements if any. In addition, the Department Council shall have a duty to have examined the prior Encampment's Treasurer's report and financial reports and the prior Department Encampment approved budget during its audit process.

Section 3. The Department Council shall keep a full and detailed record of its proceedings and shall present an Annual Audit to the Department Encampment. This report will be given at the Department Encampment after presentation of, or in conjunction with the Treasurer's report, whichever is most convenient.

Two members thereof shall constitute a quorum at any meeting. Any additional, special meetings are the subject to the order of the Department Commander or request of the Chairman of the Department Council.

Section 4. No more than one member of any one camp within the Department shall serve on the Department Council at any one time. A dual member of more than one camp within the Department who seeks election to the Department Council may only be a candidate from his primary or home camp. A dual member of more than one camp within the Department who seeks election to the Department Council and wishes to change his primary or home camp must have that change in effect and reported to the primary camp and the Department Secretary by February 15 of the year he seeks election.

Article X

Committees

Section 1. The G.A.R. and SUVCW Artifacts and Property Committee shall consist of the Department Historian, Archivist, Civil War Memorials & Monuments Officer, Counselor, and one additional member of the New York Department. The committee is charged with investigating G.A.R. and SUVCW property possessed by those outside the Order, and to recommend to the Department Commander action which is consistent with the Constitution and Regulations and Policies of the SUVCW.

Section 2. The Legislation Committee shall consist of at least two members/associates to be appointed by the Department Commander. The

committee is charged with watching proposed legislation within the Department which affects the welfare or purposes of the Order or the Constitution, to oppose the same or support the same in accordance with the Constitution and Regulations of the Order and to provide an annual report to the Department Encampment concerning its activities.

The Legislation Committee shall also be alert to orders and recommendations issued by the Commander in Chief and/or the National Legislation Officer or Committee with regard to federal legislation. It shall insure that such are communicated to all brothers, publicized in the Volunteer, and posted to the Department website to encourage appropriate action by the brothers.

Section 3. The Memorials/Monuments Committee shall consist of the Department Treasurer, the Chair of the Department Council and one "at large" member who holds no other Department level office who may be a volunteer or may be appointed by the currently seated, duly elected Department Commander.

This Committee makes recommendations to the Department Commander for grants from the Department Memorial/Monument Grant Fund. The Grant Fund helps Camps preserve and restore or create memorials and monuments related to the Civil War, Grand Army of the Republic (GAR), the Sons of Union Veterans (SUV) or the Sons of Union Veterans of the Civil War. Priority will be given to the preservation of existing monuments, particularly those monuments in the greatest distress. The Committee will make its recommendations no later than April 1 and the Department Commander's decisions will be announced at the following Encampment.

Any New York SUVCW Camp in good standing may apply for money from this fund. A camp may submit only one application in any particular year. Unsuccessful applications may be resubmitted one additional time. \$500 in total per year is authorized for a single project or divided among multiple projects. The Department is not obligated to award the maximum amount or any amount in any particular year. An application does not guarantee an award of funds. Unused funds of the current year (year 1) shall be carried forward to the next year (year 2); Funds carried forward (to year 2) may be used to increase a single award amount to \$1,000 or may be used to make two or more awards in year 2. Any unused amount from year 1 which is not used in year 2 will be returned to the Grant Fund and the funding amount reset to \$500 for the subsequent year and the cycle begins again. Applications may be submitted to the Committee Chair from the close after the Encampment beginning on June 1 until February 28 of the following year.

Grants will be authorized only for work to be completed and not for appraisals, estimates, surveys, etc., since these are considered a requirement of the application and describe the actual work to be done. The standard procedure will

be to issue checks in the name of the vendor and deliver the check to the Camp when it is actually billed by the vendor. A copy of the final bill is required. Photo-documentation of the monument taken before and after rehabilitation is required and become the property of the Department of New York for use in support of this grant program in pamphlets, newsletter, or websites of the Department of New York.

The Committee shall also be charged with seeking funding for the grants through donations or other funding sources or methods consistent with the rules and regulations of the SUVCW.

- Section 4. Special committees may be created by action of the Department Encampment and shall be for the period of time designated in the creation thereof. Their duties and responsibilities shall be simultaneously defined.

Article XI

Reports

- Section 1. The Department Treasurer shall make, in his annual report, a detailed account of the transactions of the year; shall render a budget of estimated expenses of the *Encampment* and for the ensuing year, including those of the Department Officers, and which shall not be exceeded except by unanimous approval of the Department Council; shall state in detail any liabilities of the Department, and shall give an inventory of the Department property, including all supplies on hand.
- Section 2. A summary of the annual reports of the Department Secretary and Department Treasurer shall be published in the next Department Order.
- Section 3. The Department Encampment proceedings shall be published within a reasonable time after the conclusion of the Encampment not to exceed one hundred and eighty (180) days. Distribution of Encampment Proceedings shall include one copy for each brother in attendance, as well as one copy to each Camp in good standing within the Department via the Camp Secretary; said distribution may be made via email or other electronic means. In addition, at least one copy shall be retained with the Department Secretary and one written copy provided to the Department Archivist for Department Records. A copy of the Proceedings shall also be published on the Department Webpage.
- Section 4. The Department Journal / Encampment Proceedings shall be dedicated to the memory of any Past Department Commander who dies during the previous year. Upon the passing of a New York Past Department Commander, a full-page memorial will be placed in the Journal or Yearbook distributed at the next Department Encampment.

Section 5. The Department Commander shall declare any Camp that does not submit a correct camp annual report and/or the appropriate per capita payment to the Department Secretary by April 30th of that calendar year to be “not in good standing.”

Camp reports that are submitted incomplete or that contain inaccuracies deemed to be significant by the Department Commander, Department Secretary, or Department Treasurer, will be returned to the submitting Camp for correction. If the report is not corrected and resubmitted to the Department within thirty (30) days of the date it was originally due, the report will be deemed un-submitted.

Any Camp, which has not submitted to the Department Secretary a correct Camp Annual Report or the appropriate per capita payment or a correct Certification of Election and Installation Report by April 30th, shall not be allowed representation at the ensuing Department Encampment.

Article XII

Change of Name and Location

Section 1. The Department Commander, upon receipt of notice from a Camp desiring to change its name providing each member of said Camp has received thirty days’ notice of such change shall endorse his approval.

Section 2. The fee for changing name of Camp shall be twenty- five dollars (\$25.00) payable when approved by the Department Commander. This fee will be waived if a replacement *Charter* is not required.

Article XIII

Awards

Section 1. The Department of New York has ten (10) awards, which are presented at the annual Encampment.

- A. The Oliver P. Clark Plaque is awarded to the member who recruited the most new members during the year. This figure will be determined by the Department Secretary. In further recognition of their service to the Department, the winners of this award will have their names and the year of the award permanently listed on the Department website.
- B. The PDC John G. Kernan Cup is awarded to the Camp that recruited the most new members during the year. This figure will be determined by the Department Secretary. In further recognition of their service to the Department, the winners of this award will have their names and the year of the award permanently listed on the Department website.

- C. The Department Patriotic Instructor's Award will be presented to any and all Camps that meet criteria as outlined by the Patriotic Instructor.
- D. The Joseph S. Rippey PC-in-C Memorial Award for Outstanding Service will be awarded to a deserving Brother in the New York Department at the discretion of the Department Commander. In further recognition of their service to the Department, the winners of this award will have their names and the year of the award permanently listed on the Department website.
- E. The Department Junior Vice Commander's Growth Award will be awarded to each Camp in the New York Department which has demonstrated a net increase in membership and has made its annual report and payment no later than the date specified in Regulations.
- F. The Oliver Norton-Gustav Schurmann Musician's Award is to be awarded at the discretion of the Department Musician.
- G. The Graves Registration Recognition Award is to be presented to the Camp and/or Individuals that register the most graves with the National Graves Registration officer. Camps or Individuals will report their graves registration activities to the Department Graves Registration Officer.
- H. The Camp Newsletter Award for the Camp newsletter judged best by the Department Commander and Department Newsletter Editor, who both must be included in the circulation of the newsletter for it to be considered.
- I. The Camp Website Award as determined by the Department Webmaster and Department Commander.
- J. The Department Patriotic Instructor may select annually a Camp Patriotic Instructor to receive a Camp Patriotic Instructor's Award, which will entitle the recipient's camp to a \$100.00 stipend. The award shall be based upon criteria established by the Department Patriotic Instructor and distributed to the camps annually and shall be chosen among the Patriotic Instructors who apply for the award. The recipient camp shall submit a written report to the Department Patriotic Instructor no later than December 31st of the year received indicating how the stipend was used, said report to be included with the Department Patriotic Instructors report at the next encampment.

Section 2. The New York Department, SUVCW will award the Archibald Gracie Camp #985, Sons of Confederate Veterans Award Plaque to a SUVCW Camp in the New York Department which best meets the criteria set forth by the Gracie Camp, as judged by the SUVCW Department Commander.

Article XIV

Associates

- Section 1. The Department of New York accepts Associates as a class of membership, as provided in the Constitution and Regulations of the Order.
- Section 2. The Department shall admit into the Department and permit its camps to admit all classes of Associates, including Junior Associates, as defined and recognized by the National Constitution and Regulations of the Sons of Union Veterans of the Civil War.

Article XV

Newsletter

- Section 1. The Department Newsletter the “Volunteer” shall be disseminated too the membership at least three times a year and shall be disseminated exclusively via the website with a downloadable pdf file. An email shall be sent to the membership announcing its availability and directing that each camp signals officer or secretary download and send a copy to any camp member who does not have downloading capability.

Article XVI

By-Laws

- Section 1. Alterations, amendments, or deletions to these By-Laws shall be made only at a regular session of a Department Encampment, and by a two-thirds vote of the voting members present. All proposed alterations, amendments or deletions to the bylaws must be received either in writing or electronically by the Department Secretary and Department Commander no later than 60 days prior to the Encampment and shall thereafter be published on the Department website as soon as practicable but not later than 10 days prior to the Encampment. Alterations, amendments, or deletions received less than 60 days prior to said Encampment cannot be considered until the next succeeding Encampment. The 60-day notice requirement may be waived at the Department Encampment upon two-thirds vote of those voting members present and entitled to vote.”
- Section 2. These By-Laws of the Department of New York, and any amendments or additions thereto, shall go into effect immediately after their adoption and approval by the Commander-in-Chief.
- Section 3. The Department Encampment may adopt Departmental Policies relating to certain activities of the Department or its camps concerning, but not necessarily limited to, the use or operations of the Department Website or Department Newsletter. Said policies shall be consistent with and shall not violate the Constitution, Regulations and Policies of the National Order and shall be published on the Department website.

Article XVII

Executive Summary

- Section 1. The Department Secretary or his designee shall provide an executive summary of the actions and recommendations taken at the previous Department Encampment as the following Department Encampment.

Article XVIII

Members, Associates, Juniors and Junior Associates under the Age of 18

- Section 1. The Department of New York and its Camps shall comply with all the Rules, Regulations, and Orders of the National Organization in regards restrictions established for the monitoring of Brothers under the age of 18 while interacting within the Department of New York and its Camps. They shall include as a minimum the following:
- A. All Brothers under the age of 18 years of age shall be accompanied by a parent or person designated as a Guardian (Grandfather, Brother over the age of 18 years, Uncle, or legally appointed guardian) when participating in any SUVCW activity.
 - B. At no time will a non-related Brother be permitted 'one on one' contact with a Brother under the age of 18. Any interaction with a Brother under the age of 18 must include at least two (2) Brothers over the age 18 at all times.
 - C. Any Brother who witnesses or suspects in good faith any type of physical, mental, or sexual abuse of any member under the age of 18 will immediately report such suspicion to local authorities first and local Camp and Department Commanders immediately.
 - D. Every Brother over the age of 18 who may have contact with a Brother under the age of 18 is strongly encouraged but not required to complete training related to protecting children from abuse of any type.(Training is available at no cost online from the Boy Scouts of America through their Youth Protection Training at <http://www.myscouting.org>. You will need to create an account, then select the Training, E-Training, then choose the youth protection training. It takes about 30 minutes to complete. Upon completion, you will be able to print a certificate along with a wallet-size certification card which is good for a period of 2 years.)
 - E. All Brothers shall comply with all applicable Local and State laws pertaining to child abuse.

ARTICLE XIX

Organization

Section 1. The Department shall be constituted and remain constituted as provided by the Constitution and Regulations (C&R) governing the National Organization, Sons of Union Veterans of the Civil War, and shall be known as the DEPARTMENT OF NEW YORK, SONS OF UNION VETERANS OF THE CIVIL WAR. The department is organized as an unincorporated association under the laws of the State of New York. The organization is organized exclusively for charitable, religious, educational, and scientific purposes under section 501(c)3 of the Internal Revenue Code, or corresponding section of any future tax code.

ARTICLE XX

Activities Not in Furtherance of Exempt Purposes

Section 1. No part of the net earnings, if any, of this unincorporated association, shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the unincorporated association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes described in section 501(c)3. No substantial part of the activities of the unincorporated association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the unincorporated association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these by-laws, the unincorporated association shall not carry on any other activities not permitted to be carried on (a) by an unincorporated association exempt from federal income tax under section 501(c)3 of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an unincorporated association, contributions to which are deductible under section 170(c)2 of the Internal Revenue Code, or the corresponding section of any future federal tax code.

ARTICLE XXI

Separation, Dissolution and Disposition of Assets

Section 1 In the case of surrender or forfeiture of the Department Charter, all Department property and assets shall be turned over to the National Commander-in-Chief of the Sons of Union Veterans of the Civil War via the Department Commander of the affected Department acting as his duly authorized representative to collect and hold all such property in trust for the National Organization, Sons of Union Veterans of the Civil War, an organization exempt from taxes under section 501(c)3 of the Internal Revenue Code.

Section 2 All property of the Department shall be held for the National Organization, Sons of Union Veterans of the Civil War, as a charitable trust that is held and used for the purpose for which the Order exists. Any such transfer or disposal within six

months of disbandment or surrender of the Department Charter without the written consent of the National Commander-in-Chief of the Sons of Union Veterans of the Civil War is prohibited. The property and funds of the Department shall not be divided among its members.

Section 3 In the event the National Organization, Sons of Union Veterans of the Civil War, no longer exists, said property and funds shall revert to the benefit of the first and any remaining organization of the Allied Orders of the Grand Army of the Republic or in their absence, to the State archives of New York.

Section 4 Notwithstanding the above language, upon the dissolution of this organization, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government for a public purpose.



Department Commander

31 January 2022
Date



Commander-in-Chief

2 March 2022
Date

**Revised and Approved by the 138th Encampment of the Department of New York
Via Zoom Teleconference – May 15, 2021**



Michael A. Paquette
Commander in Chief
Sons of Union Veterans of the Civil War



Jeffrey Albanese, PDC
Chairman, Dept of NY Committee on Constitution and Bylaws
19 Gregory Drive
Goshen, NY 10924

March 2, 2022


Past Department Commander Albanese,

Your committee's updates to the Department of New York Bylaws, revision of May 15, 2021 are in order, with the following exception., Article XII, Section 1, which was not indicated as being updated states "The Department Commander, upon receipt of notice from a Camp desiring to change its name providing each member of said Camp has received thirty days' notice of such change shall endorse his approval" and Article XII ,Section 2, "The fee for changing name of a Camp shall be twenty-five dollars (\$25.00) payable when approved by the Department Commander." These clauses conflict with the Constitution and Regulations of the Order, as the Department Commander does not have the authority to change a Camp's name.

Per Article I, Section 1 of the Constitution and Regulations "No Camp shall be organized or instituted until the Application for Charter has been approved by the Commander-in-Chief." As the application for Charter includes a Camp's name, the Commander-in-Chief is singularly responsible for approving Camp names and by extension he must also approve Camp name changes.

Article XII of your Bylaws will need to be removed or updated to indicate the Commander-in-Chief must approve a change of a Camp's name. You will be required to retain a copy of this letter with your Bylaws until this update is made.

In Fraternity, Charity, and Loyalty,


Michael Paquette
135th Commander-in-Chief
Sons of Union Veterans of the Civil War