

CONSTITUTION AND BYLAWS OF
CHAPTER 139
HASTINGS, MICHIGAN 49058

CONSTITUTION

ARTICLE I – NAME

The name of this Chapter shall be Hastings Chapter 139, Department of Michigan, DISABLED AMERICAN VETERANS.

ARTICLE II – PURPOSE

The purpose of this Chapter is to support the program of the Disabled American Veterans as defined in the National Constitution and Bylaws.

ARTICLE III – MEMBERSHIP

Membership in this Chapter shall conform to the requirements as set forth in the National Constitution and Bylaws.

ARTICLE IV – ADMINISTRATION

Section 1: The administrative affairs of this Chapter shall be vested in the Executive Committee in emergencies only and all other actions of the Executive Committee must be ratified by a simple majority vote of the Chapter.

Section 2: The Executive Committee shall be composed of the Commander, Senior Vice. Commander, Junior Vice. Commander, Treasurer and all other elected Chapter Officers, and Appointed positions.

Section 3: At the time specified, the Chapter shall elect a Commander, Senior Vice. Commander, Junior Vice. Commander, Treasurer and such other officers as may be deemed necessary to operate the Chapter.

ARTICLE V – EXECUTIVE

The executive power of this Chapter shall be vested in the Chapter Commander.

ARTICLE VI – AUXILIARY

This Chapter recognized a woman's auxiliary, subject only to such supervision as conforms to the National and Department Constitution and Bylaws of all above organization.

ARTICLE VII – AMENDMENTS

This Constitution may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to approval of the Department and National Judge Advocate, and effective only after date of approval, provided that any such amendment is read at two (2) meetings and that all members were notified of the proposed change prior to each of the two (2) meetings.

BYLAWS

ARTICLE 1 – ORGANIZATION

Section 1: Governing body of this Chapter shall be the Chapter in session, except as provided in the Constitution.

Section 2: Records of the proceedings of the Chapter and Executive Committee shall be kept and open for inspection to any member in good standing.

ARTICLE 2 – CHARTER

The Charter of this Chapter, issued by the National Executive Committee, is its authority to function.

ARTICLE 3 – EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall be composed of the Commander, Senior Vice. Commander, junior vice Commander, Treasurer and all other elected Chapter Officers.

Section 2: Meetings of the Executive Committee will be called by the Commander, or at the request of a majority of its members, made in writing to the Commander.

Section 3: Appointed Officers, Committee Chairmen and lay members may attend the Executive Committee meetings, but without the right to vote.

Section 4: A majority of members shall constitute a quorum.

Section 5: The Executive Committee may act for the Chapter only in emergencies and at all other times shall recommend courses of action to the Chapter in session.

ARTICLE 4 – OFFICERS

Section 1, Para. 1: The Chapter shall elect a Commander, senior vice Commander, Junior vice Commander, Treasurer and such other officers as may be necessary to operate the Chapter.

Section 1, Para. 2: The Commander shall appoint the Adjutant, Committee Chairmen and Committee members, with the exception of the Nominating Committee, and such other officers as are necessary to carry out the business of the Chapter.

Section 1, Para. 3: A Chapter Officer Report shall be submitted to the Department of Michigan and National Organization within ten (10) days after the installation of newly elected or appointed Chapter Officers or in the event of any subsequent change in the Chapter Officers during the membership year.

Section 2, Para. 1: The Commander shall be the presiding officer and in his/her absence, the duty will fall to the next highest officer in line of succession who is present.

Section 2, Para, 2: The Senior vice Commander shall be the Membership Chairman along with the Chapter Adjutant and as such is responsible for campaigns to increase membership.

Section 2, Para, 3: The Treasurer or other designated officer shall keep an accurate record of all monies received and disbursed and shall deposit any monies received as soon as possible. He/she shall make a report on finances at each meeting and records shall be open to any member in good standing when a request is made in writing. An annual financial report shall be submitted to the

State Department and National Organization within ninety (90) days after the close of the accounting year of the Chapter, this will be 1 October.

Section 3: Duties, Para. 1: The Commander, or in his/her absence the next highest officer, shall preside at all regular or special meetings of the Chapter. He/she shall maintain order and dispatch such business as may legally come before him/her. The Commander must countersign all check or vouchers issued by the Chapter Treasurer. He/she shall perform all other duties that may reasonable be assumed to be incidental to the office, including those set forth in this Constitution and Bylaws and in the Official DAV Ritual, and such other duties as may be lawfully delegated to him/her by the Chapter. The Senior Vice Commander, Junior Vice Commander, Chaplain and Historian in the order named, shall perform the duties of the Commander in the event of his/her absence. If the commander should die, resign or be removed, the same order of authority would hold until a new Commander is elected.

Section 3: Para. 2: The Senior vice Commander shall perform the duties of his/her station as set forth in the Official DAV Ritual. He/she shall encourage friendship among the members of this organization, discourage discord, and promote harmony, subject to the direction of the Chapter, he/she shall act as Chairman of Membership, solicitation activities to the end that every eligible veteran may become a member. With the approval of the Chapter, the senior vice Commander may appoint one or more members to assist him/her in such membership activities.

Section 3: Para. 3: The junior vice Commanders shall perform the duties of his/her station as set forth in the Official DAV Ritual. He/she shall see that every member is given a reasonable opportunity to state his/her views on any subject under discussion in a meeting of the Chapter, not inconsistent with this Constitution and Bylaws or ROBERT'S RULES OF ORDER, REVISED. He/she shall, at all times encourage loyalty to the United States of America, to the DAV, and to the members of the Chapter. Subject to the direction of the Chapter, may appoint one or more members to assist him/her as such Chairman.

Section 3: Para. 4: The Adjutant is responsible for keeping the Chapter's records and conducting the Chapter's official correspondence. He/she must keep detailed records of the Chapter's meetings and business affairs. All motions considered by the Chapter should be recorded along with the names of the members who make, second, or speak on motions.

Section 3: Sub para. 1: The Adjutant is responsible for the membership records and should make certain that they are kept up to date.

Section 3: Sub para. 2: Special meeting notices should be mailed to all Chapter members at least a week before such meeting, with the reason for the meeting stated on the meeting notice.

Section 3: Sub para. 3: At each business meeting, the Adjutant should read or pass to all members present a copy of the minutes of the preceding meeting and make sure that a motion of acceptance or rejection is passed.

Section 3: Sub para. 4: At each Chapter meeting the Adjutant should read all correspondence received between meetings and see that all matters which require action by the Chapter are properly disposed of. He/she should answer all correspondence promptly and file copies of his/her answers with the Chapter records.

Section 3: Sub para. 5: The Adjutant must work closely with the Commander, Treasurer and other Chapter Officers in order to efficiently carry out his/her duties.

Section 3: Para. 5: The Treasurer shall receive and immediately deposit all the money in a bank account in the name of the Chapter without any deduction or

offsets. He/she must keep separate all monies collected from the Forget-me-not sales from general accounts. He/she shall make authorized disbursements only by checks or vouchers signed by him/her and countersigned by the Commander or other authorized signature. He/she shall keep a system of accounts approved by the Chapter and shall preserve all receipts and checks or vouchers for payments made. He/she shall render a monthly report of receipts and expenditures to the Chapter not later than the first regular monthly meeting following the last day of each calendar month. This report shall have been approved _____ by _____ the Chapter, The Trustee Committee shall also audit and approve these reports at least on a quarterly basis. An annual financial report shall be submitted to the Audit Committee, State Department and National Organization within ninety (90) days after the close of the accounting year of the Chapter. The closing year end date is 30 June.

Section 3: para. 6: Chaplain shall perform the duties of his/her station as set forth in the Official DAV Ritual. He/she shall visit the sick and comfort the families of those members who have passed away. He/she shall be responsible for encouraging attendance at DAV conducted funerals and the proper conduct thereof. Subject to the direction of the Chapter, he/she shall act as Hospital Visitation Chairman and, with the approval of the Chapter, may appoint one or more members to assist him/her as such Chairman.

Section 3: para. 7: The Historian shall keep a brief history of activities of the Chapter during his/her term of office, to be kept as a permanent record of the Chapter. He/she shall also act as Publicity Officer of the Chapter and regularly furnish proper publicity materials to local newspapers, radio station and television outlets, as well as official DAV National and Department publications, with the approval of the Commander and any other elected or appointed officer with an interest in that particular subject.

Section 3: para. 8: The Service Officer shall advise and assist veterans disabled in line of duty, and their dependents, in the technical preparations and prosecution of their equitable claims for benefits from any governmental agency. He/she shall also assist with referrals to other agencies.

Section 3: para. 9: The Judge Advocate, upon the request of the Commander of the Chapter, shall render an opinion upon all parliamentary questions, upon any question arising out of any dispute upon the floor of the assembly, or concerning the interpretation of this Constitution and Bylaws, or the Constitution or Bylaws of the National or Department Organizations. Upon receipt of his/her opinion, the Commander shall announce his/her ruling or decision. Such decision shall be final and binding upon the Chapter unless; (1)overruled by a two-thirds vote of the members at the meeting during which the decision is announced, or (2) reversed upon an appeal to the next higher governing body within thirty (30) days after such decision is made known.

Section 3: para. 10: The Officer-of-the-day shall perform the duties of his/her office as set forth in the Official DAV Ritual. He/she shall welcome all visitors and see that each is properly introduced.

Section 3: para. 11: The Sergeant-at-Arms shall perform the duties of his/her office as set forth in the Official DAV Ritual.

Section 3: para. 12: The Chapter State Executive Committeeman shall be elected by the Chapter and has the responsibility of voting with regards to the wants and desires of the Chapter. Also, included in the duties is promptly voting and returning the State Administrative Board minutes

Section 3: para. 13: By accepting any elective or appointive office, a member agrees that his/her service shall be rendered gratuitously and that he/she shall not be entitled to reimbursement for any sums advance, incurred or spent, unless expressly authorized by the Chapter at a regular chapter meeting. No Chairman, Committeeman, Chapter officer or other Chapter member shall have the power or authority to incur any expense or obligation or bind the chapter, unless by prior expressed approval of the chapter evidence by a majority vote at a regular meeting. A member, by accepting any elective or appointive office, promises and agrees to perform the duties of such office or appointment to the best of his/her ability; as will only affect the good of the Organization; to enforce and sustain this Constitution and Bylaws, and the Constitution and Bylaws of the National and Department Organizations; and when his/her successor has been duly elected or appointed, to surrender to him/her without notice or demand all the records and other property of the Chapter or the Organization in his/her possession or under his/her control.

ARTICLE 5 - QUALIFICATIONS

Section 1: Any person who is a member in good standing shall be eligible to any elective or appointive office in this Chapter.

ARTICLE 6 – TENURE OF OFFICE

Section 1: Officers shall be nominated during the February March meetings and reopened again immediately prior to the April election meeting.

Section 2: Elected and appointed officers shall be installed prior to the Department Convention each year. They shall serve one (1) year or until newly elected or appointed officers have been installed.

Section 3: Unexcused absence of any officer from three (3) consecutive meetings, or fails to perform the duties of their office as prescribed by the National and Department Constitution and bylaws shall be cause for review and possible removal by the Executive Committee who will after a thorough examination make recommendations to the Commander who, if necessary, is empowered to appoint a member to serve the unexpired term, with the approval of the Chapter.

Section 4: In the event the office of Commander shall be vacated for any reason, the senior vice Commander shall be elevated to Commander, Junior vice Commander to senior vice Commander and the vacancy filled as outlined.

Section 5: It shall require a majority of votes to elect a candidate for any office. It shall also require a majority of votes cast to elect delegates or alternates to a State or National Convention. However, if there are less delegates and alternates than the number to which the Chapter is entitled, then all such candidates nominated for delegate or alternate shall be declared elected.

ARTICLE 7 - MEETINGS

Section 1: No applicant shall be denied Chapter membership if he/she meets the eligibility requirements as set forth in the National Constitution and Bylaws.

Section 2: All life members may secure a transfer of membership upon the approval of the Chapter, at a meeting of the chapter.

ARTICLE 8 - FINANCES

Section 1: The Treasurer or other designated officer shall deposit all monies in the name of the Chapter.

Section 2: The Treasurer or other designated officer shall be charged with handling normal finances in the operation of the Chapter.

Section 3: There shall be no annual dues in this Chapter. All members shall be encouraged to pay towards their Life Membership.

ARTICLE 9 - MEETINGS

Section 1: Chapter meetings shall be held at least once a month. Meeting dates are to be set by majority vote of the Chapter in session.

Section 2: Place and time of meetings shall be determined by the desires of the Chapter.

Section 3: Rules of Chapter meetings shall be as follows:

RULE 1. A quorum shall consist of five (5) members in good standing.

**RULE 2. Robert's Rules of Order, Revised. Will govern except as here
After specifically stated.**

**RULE 4. Matters concerning the individual only with respect to his/her
Own personal interest, shall not be in order but may be taken
Before the proper committee.**

**RULE 5. Voting shall be voice unless otherwise requested by at least
Five (5) members.**

ARTICLE 10 - COMMITTEES

Section 1: All committees will meet at the call of the Chairperson or Commander.

Section 2: Committees shall consist of not less than three (3) nor more than seven (7) members (accept as otherwise herein provided), including the Chairperson. Committees shall be appointed by the Commander with the approval of the Chapter with the exception of the Nominating Committee which shall be elected by the Chapter.

Section 3: The Chapter Commander shall be a non-voting member of all committees with the exception of the Nominating and Audit (Trustee) Committees.

Section 4: The Chapter shall have an Audit Committee hereafter known as the Trustee Committee composed of at least three (3) members of the Chapter, excluding the Commander, Senior vice Commander, Treasurer, Adjutant. The Trustee Committee shall conduct an annual audit in accordance with the requirements of Article 9, Section 9.2 (Upon election or appointment, and installation of the successor to any such office, all chapter property in his or her predecessor's possession or control shall be surrendered to the newly install officer.) of the National Bylaws. In respect to the writings of this Chapter's Bylaws, the Trustee Committee will also audit the records of the Chapter in a quarterly fashion.

1. ARTICLE 11 - MISCELLANEOUS

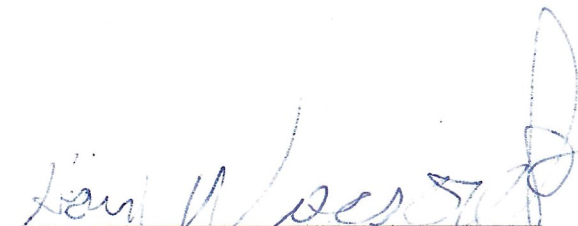
Section 1: Para. 1: These Bylaws may be amended at any Chapter meeting by a two thirds majority vote of those voting, subject to approval of the Department and National Judge Advocate, and effective only after date of this approval, provided that any such amendment is read at two (2) meetings and that all members were notified of the proposed change prior to each of the two (2) meetings.

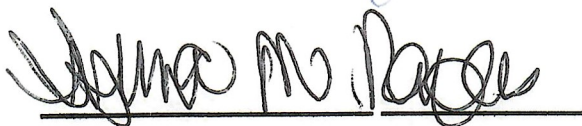
Section 1: Para. 2: A copy of this Constitution and Bylaws shall be properly affixed to the back of the framed Charter to prevent its loss and in order that it may always be available for reference.

Section 1: Para. 3: To the extent to which the provisions of this Constitution and Bylaws are or may at any time become inconsistent with the provisions of the Constitution and Bylaws and lawful mandated decisions and regulations of either the State or National Departments, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.

Section 2: All disciplinary actions will be handled in accordance with Article 16 of the National Bylaws.

Section 3: Whenever used in this Constitution and Bylaws and the context so requires, the masculine shall include the feminine, and singular shall include the plural, and vice versa. The initials "DAV" whenever used in this Constitution and Bylaws refers to "Disabled American Veterans".


CHAPTER JUDGE ADVOCATE


CHAPTER ADJUTANT

DEPARTMENT JUDGE ADVOCATE

ATTEST: _____


CHAPTER COMMANDER

NAT'L JUDGE ADVOCATE

Adopted after this second and final reading 9th day
Of MARCH, ²⁰²⁰~~2018~~