

December 6, 1991

Mr. Albert Dewilder, Jr., Commander
Allen Alto Chapter #38
Disabled American Veterans
P.O. Box 704
Traverse City, MI 49684

Dear Mr. Dewilder:

The Constitution and Bylaws for Allen Alto Chapter #38, Department of Michigan, is hereby approved as of this date.

A copy of this document is being forwarded to the Department of Michigan and a copy is being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

STAN PEALER
National Judge Advocate

SP:G:kgb

Enclosure

cc: Department of Michigan ✓



DISABLED AMERICAN VETERANS
 ALLEN ALTO CHAPTER NO.38
 P.O. BOX 704
 TRAVERSE CITY, MICHIGAN 49685-0704

CONSTITUTION

ARTICLE ONE - NAME

- 01.01.00 The name of this organization shall be "DISABLED AMERICAN VETERANS, ALLEN ALTO CHAPTER #38," hereinafter referred to as the "Chapter."

ARTICLE TWO - PURPOSE

- 02.01.00 To uphold and maintain the Constitution and laws of the United States; to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests, and work for the betterment of all wounded, gassed, injured and disabled American veterans; to cooperate with the United States Veterans Administration and all other public and private agencies devoted to the cause of improving the condition, health and interests of all wounded, gassed, injured and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness and comradeship among all wounded, gassed, injured and disabled veterans; to serve our comrades, our communities and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

ARTICLE THREE - MEMBERSHIP

- 03.01.00 Membership eligibility shall remain consistent with eligibility requirements of the Disabled American Veterans national organization.

ARTICLE FOUR - ADMINISTRATION

- 04.01.00 The Chapter recognizes the national organization known as the Disabled American Veterans, incorporated by Act of Congress, and affirms its allegiance, and subordination, to the rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after the payment of its debts shall be distributed as provided in Article Six, Section 6.5, Paragraphs 4, 5 and 6 of the National By-laws.
- 04.02.00 The Charter issued to the Chapter by the national organization of the Disabled American Veterans is its authority to function and shall be displayed behind the Commander's post at all regular meetings.
- 04.03.00 The governing bodies of the Chapter are the Chapter in session and the Chapter Executive Committee.

ARTICLE FIVE - AUXILIARY ORGANIZATIONS

- 05.01.00 The Chapter recognizes a women's auxiliary organization, subject only to such supervision as it conforms with the National and State By-laws of both organizations. Such auxiliary organization is known as the "Disabled American Veterans Auxiliary, Allen Alto Unit #38."

ARTICLE SIX - AMENDMENTS

- 06.01.00 This Constitution may be amended by a majority affirmative vote of 67% of the members in good standing at any regular meeting, provided that:
- (a) proposed amendments are submitted in writing; and
 - (b) proposed amendments are read at one meeting prior to the meeting that the proposed amendments are voted on.

- 03.03.04 Chapter officers shall be administered the "oath of office" prior to July 1. The Chapter shall submit an "officer certification form" to Department headquarters, certifying that the officers have been duly elected or appointed and that they have taken the oath of office.
- 03.03.05 The Chapter shall select one delegate and one alternate for the Charter, and one delegate and one alternate for each twenty-five members or major fraction thereof, to represent the Chapter at the state convention at least twenty-five days prior to the opening of the convention on forms provided by Department.
- 03.03.06 Any one or more offices may be held at the same time by one individual, except that the Commander may not concurrently serve as Adjutant.
- 03.03.07 Vacancies in any elective or appointive office shall be filled temporarily through appointment by the Chapter in session at a regular meeting. Such appointments expire at the next installation of officers.

03.04.00 MEMBERSHIP DUES:

- 03.04.01 The Chapter in session at any regular meeting, shall have the power to levy membership dues for Annual Members for the next fiscal year.

ARTICLE FOUR - DUTIES & RESPONSIBILITIES OF OFFICERS

04.01.00 COMMANDER:

- 04.01.01 As chief executive officer of the Chapter, the Commander shall preside at all meetings of the Chapter and a member ex-officio of all committees and boards.
- 04.01.02 The Commander shall supervise and control the management of the Chapter in accordance with these By-laws, and shall generally perform the duties which usually pertain to the chief executive officer of a nonprofit corporation, as set forth in the National and State By-laws.

04.02.00 ADJUTANT:

- 04.02.01 The Adjutant shall keep accurate records of the proceedings of the Chapter, and such records shall be open for inspection to any member in good standing.
- 04.02.02 The Adjutant shall have general charge of minutes, correspondence files, membership rosters, corporate records and reports, and shall sign such instruments as may require the signature of that office, and in general shall perform all duties incident to the office, including duties as may be assigned from time to time by the Commander or the Executive Committee.

04.03.00 TREASURER:

- 04.03.01 The Treasurer shall keep a complete financial record of all monies received, expended and remitted.
- 04.03.02 All money received must be deposited in a bank in the name of the Chapter without deduction or offset, and all disbursements are to be made from the account, authorized by the Chapter in session.
- 04.03.03 The Treasurer shall have an accounting made and shall submit a report annually to the national and state organizations within ninety days after the close of the fiscal year.
- 04.03.04 The Treasurer shall prepare written financial statements accompanied by bank statements and reconciliations at every regular meeting. These reports will be made a part of the minutes.
- 04.03.05 Any member of the Chapter in good standing may inspect the records of the Treasurer in the presence of a Chapter officer at any reasonable time.
- 04.03.06 The Treasurer in general shall perform the duties incident to the office, including duties as may be assigned from time to time by the Commander or the Executive Committee.

- 05.05.00 The administrative affairs of the Chapter shall be vested in the Executive Committee in emergencies only. All other actions of the Executive Committee must be ratified by a simple majority vote of the Chapter in session.
- 05.06.00 The Chapter Adjutant will act as Adjutant for the Executive Committee and will take the minutes of the Committee meetings. Those minutes shall be read and approved at the next regular meeting of the Chapter which then ratifies the Executive Committee's actions.

ARTICLE SIX - STANDING COMMITTEES

- 06.01.00 Committees shall consist of not less than three, no more than seven members, except as otherwise herein provided, including the Chairman, and shall be appointed by the Commander, with the approval of the Chapter in session.
- 06.02.00 All committees will meet at the call of the Committee Chairman or Commander.
- 06.03.00 Standing Committees recognized by the Chapter are:
 - (a) Membership Committee (chaired by the Senior Vice-Commander);
 - (b) "Forget-Me-Not" Committee (chaired by the Junior Vice-Commander);
 - (c) Americanism Committee;
 - (d) Legislative Action Committee;
 - (e) Newsletter Committee;
 - (f) Older Veterans Assistance Committee (with no limit on number of members); &
 - (g) Audit Committee.
- 06.04.00 Other committees may be appointed for specific purposes, usually with a time limit designated at the time of appointment.

ARTICLE SEVEN - AMENDMENTS; SURVIVAL OF ACTIONS; EFFECTIVE DATE

- 07.01.00 These By-laws may be amended by a majority affirmative vote of 67% of the members in good standing at any regular meeting, provided that:
 - (a) proposed amendements are submitted in writing; and
 - (b) proposed amendments are read at one meeting prior to the meeting that the proposed amendments are voted on.
- 07.02.00 Amendments to this Constitution and By-laws are subject to the approval of the Disabled American Veterans National and State Judge Advocate.
- 07.03.00 No amendment may be made that will avoid any limitation imposed by the Disabled American Veterans national and state organizations.
- 07.04.00 This Constitution and By-laws replace all previous Constitution and By-laws of the Chapter. Any proceedings commenced or rights and causes of action accruing during the interim are hereby expressly preserved and declared to survive, and likewise any action or orders of officers or the Executive Committee taken or issued pursuant to the date this Constitution and By-laws go into full force and effect.
- 07.05.00 The effective date of this Constitution and By-laws is June 26, 1991.

Albert DeWilder

Albert DeWilder, Adjutant

Boniface R. Maile 12/3/91

Boniface R. Maile, State Judge Advocate

Allen A. Pifer

Allen A. Pifer, Commander

I CERTIFY that the within constitution and/or by-laws does not conflict with those of the National Organization, and to that extent is approved.

DATE: 12/16/91

Stan Pealer

Stan Pealer, National Judge Advocate
DAV National Judge Advocate

ARTICLE ONE - ORGANIZATION

- 01.01.00 Hereinafter the "DISABLED AMERICAN VETERANS, AT TRAVERSE CITY, MICHIGAN, KNOWN AS ALLEN ALTO CHAPTER NO. 38," will be referred to as the "Chapter."
- 01.02.00 The Chapter Charter, issued by the national organization of the Disabled American Veterans, is its authority to function and shall be displayed behind the Commander's post at all regular meetings.
- 01.03.00 The Chapter was recognized by the State of Michigan as a nonprofit corporation on 15/JUN/1988 in conformity with Act 162, P.A. 1982 (see Page 1).
- 01.04.00 The governing bodies of the Chapter are the Chapter in session and the Chapter Executive Committee. 1.1
- 01.05.00 All matters of procedure not otherwise provided for in these By-laws shall be governed by Robert's Rules of Order, Revised. 1.3
- 01.06.00 { The ruling of the Chapter Commander is final and binding upon the Chapter unless the decision is over-ruled by the Chapter, or upon successful appeal to the State Executive Committee. X 4.3
- 01.07.00 The fiscal year of the Chapter shall be from July 1 through June 30. 4.7

ARTICLE TWO - POLICY

- 02.01.00 The Chapter shall be non-political and non-sectarian, and the name of the Chapter shall not be used in representing the desires and wishes of its membership in any political, sectarian, or labor dispute, except as herein provided or as provided in the By-laws of the Disabled American Veterans national and state organizations. Provided however, that the foregoing shall not prevent this organization from participating in political issues which have a direct bearing on the welfare of disabled American veterans. 2.
- 02.02.00 Except as otherwise provided in the National By-Laws, the Chapter shall not sponsor or engage in, directly or indirectly, any fund-raising projects without prior approval of the Department of Michigan Disabled American Veterans.

ARTICLE THREE - MEETINGS; VOTING; ELECTIONS; MEMBERSHIP DUES

- 03.01.00 MEETINGS:
- 03.01.01 The Chapter meeting time and place shall be determined by a majority vote of the Chapter in session.
- 03.01.02 The order of business at any regular meeting is outlined in the official ritual of the Disabled American Veterans, and as the needs of the Chapter dictate.
- 03.01.03 Special meetings may be called by the Commander when deemed necessary, or when requested in writing by five or more members in good standing. The call of any special meeting shall state specifically the purpose of the meeting and no other business not specified shall be transacted.
- 03.01.04 { A "member in good standing" is defined as a Life Member or an Annual Member who has paid dues for the current fiscal year.
- 03.01.05 A quorum at all meetings consists of seven members in good standing.
- 03.02.00 VOTING:
- 03.02.01 Each member in good standing shall be entitled to one vote at all regular and special meetings. There shall be no voting by proxy.
- 03.03.00 ELECTIONS:
- 03.03.01 The Chapter shall elect the following officers: 4.2
 - (a) Commander;
 - (b) Senior Vice-Commander;
 - (c) Junior Vice-Commander;
 - (d) Executive Committeeman;
 - (e) Alternate Executive Committeeman; and
 - (f) Chaplin.

- 03.03.02 The Chapter shall appoint the following officers: ^u
 (a) Adjutant; (d) Judge Advocate; and 4.2
 (b) Treasurer; (e) Other officers deemed necessary to
 (c) Service Officers; operate the Chapter. 4.2
- 03.03.03 Chapter officers shall be elected or appointed annually during April, May or 4.2
 June by the Chapter in session. 4.2
- 03.03.04 Chapter officers shall be administered the "oath of office" prior to July 1 4.2
 The Chapter shall submit an "officer certification form" to Department head-
 quarters, certifying that the officers have been duly elected or appointed and
 that they have taken the oath of office.
- 03.03.05 The Chapter shall select one delegate and one alternate for the Charter, and 4.5
 one delegate and one alternate for each twenty-five members or major fraction
 thereof, to represent the Chapter at the State Convention at least twenty-five
 days prior to the opening of the convention on forms provided by Department.
- 03.03.06 Any one or more offices may be held at the same time by one individual, except 4.4
 that the Commander may not concurrently serve as Adjutant. - TREAS
- 03.03.07 Vacancies in any elective or appointive office shall be filled temporarily 4.4
 through appointment by the Chapter in session at a regular meeting. Such
 appointments expire at the next installation of officers.
- 03.04.00 MEMBERSHIP DUES:
- 03.04.01 The Chapter in session at any regular meeting, shall have the power to levy 4.6
 membership dues for Annual Members for the next fiscal year.
- ARTICLE FOUR - DUTIES & RESPONSIBILITIES OF OFFICERS
- 04.01.00 COMMANDER:
- 04.01.01 As chief executive officer of the Chapter, the Commander shall preside at all 4.7
 meetings of the Chapter and a member ex-officio of all committees and boards.
- 04.01.02 The Commander shall supervise and control the management of the Chapter in 4.7
 accordance with these By-laws, and shall generally perform the duties which
 usually pertain to the chief executive officer of a nonprofit corporation, as
 set forth in the National and State By-laws.
- 04.02.00 ADJUTANT:
- 04.02.01 The Adjutant shall keep accurate records of the proceedings of the Chapter, 4.7
 and such records shall be open for inspection to any member in good standing.
- 04.02.02 The Adjutant shall have general charge of minutes, correspondence files, mem- 4.7
 bership rosters, corporate records and reports, and shall sign such instruments
 as may require the signature of that office, and in general shall perform all
 duties incident to the office, including duties as may be assigned from time to
 time by the Commander or the Executive Committee.
- 04.03.00 TREASURER:
- 04.03.01 The Treasurer shall keep a complete financial record of all monies received, 4.7
 expended and remitted.
- 04.03.02 All money received must be deposited in a bank in the name of the Chapter with- 4.7
 out deduction or offset, and all disbursements are to be made from the account,
 authorized by the Chapter in session.
- 04.03.03 The Treasurer shall have an accounting made and shall submit a report annually 4.7
 to the national and state organizations within ninety days after the close of
 the fiscal year
- 04.03.04 The Treasurer shall prepare written financial statements accompanied by bank 4.7
 statements and reconciliations at every regular meeting. These reports will
 be made a part of the minutes.
- 04.03.05 Any member of the Chapter in good standing may inspect the records of the 4.7
 Treasurer in the presence of a Chapter officer at any reasonable time.

- 04.03.06 The Treasurer in general shall perform the duties incident to the office, including duties as may be assigned from time to time by the Commander or the Executive Committee.
- 04.04.00 SENIOR VICE-COMMANDER:
- 04.04.01 The Senior Vice-Commander shall exercise the powers of Commander during the Commander's absence or inability to act. Any action taken by the Senior Vice-Commander in the performance of the duties of Commander shall be presumptive evidence of the absence or inability to act by the Commander at the time.
- 04.04.02 The Senior Vice-Commander shall be the Membership Chairman and as such is responsible for campaigns to increase membership.
- 04.04.03 The Senior Vice-Commander in general shall perform the duties incident to the office, including duties as may be assigned from time to time by the Commander or the Executive Committee.
- 04.05.00 JUNIOR VICE-COMMANDER:
- 04.05.01 The Junior Vice-Commander shall exercise the powers of Commander or Senior Vice-Commander during their absence or inability to act. Any action taken by the Junior Vice-Commander in the performance of the duties of Commander or Senior Vice-Commander shall be presumptive evidence of the absence or inability to act by the Commander or the Senior Vice-Commander at the time.
- 04.05.02 The Junior Vice-Commander shall be the "Forget-Me-Not" Chairman and as such is responsible for an annual campaign to raise funds for service programs.
- 04.05.03 The Junior Vice-Commander in general shall perform the duties incident to the office, including duties as may be assigned from time to time by the Commander or the Executive Committee.
- 04.06.00 EXECUTIVE COMMITTEEMAN and ALTERNATE EXECUTIVE COMMITTEEMAN:
- 04.06.01 The Executive Committeeman shall study routine business affairs of the Chapter to make recommendations of desired action to improve management of the Chapter. Such studies include the approving or rejecting of recommendations considered by the Disabled American Veterans national and state organizations. The Alternate Executive Committeeman will serve in the same capacity during the absence or inability to act by the Executive Committeeman.
- 04.06.02 The Executive Committeeman will represent the Chapter at state conventions.
- 04.07.00 CHAPLIN:
- 04.07.01 The Chaplin shall conduct non-sectarian services (services not associated with specific religious beliefs) when called upon.
- 04.08.00 SERVICE OFFICERS:
- 04.08.01 The Service Officers shall advise and assist veterans disabled in the line of duty, including their dependents, in the technical preparation and prosecution of equitable claims for federal and state benefits.
- 04.08.02 The Service Officers will participate in Chapter out-reach service programs designed to assist veterans in the community.
- 04.09.00 JUDGE ADVOCATE:
- 04.09.01 The Judge Advocate shall render opinions on any existing or proposed sections of the Chapter By-laws and all questions of parliamentary procedure.

ARTICLE FIVE - EXECUTIVE COMMITTEE

- 05.01.00 The Executive Committee is composed of all elected and all appointed officers.
- 05.02.00 The Chapter Commander is the presiding officer of the Executive Committee.
- 05.03.00 There shall be a minimum of two meetings of the Executive Committee within every fiscal year. The meetings shall be called by the Commander.
- 05.04.00 Special meetings of the Executive Committee will be called by the Commander or at the written request of a majority of the Executive Committee members. A majority of the Executive Committee constitutes a quorum.

- 05.05.00 The administrative affairs of the Chapter shall be vested in the Executive Committee in emergencies only. All other actions of the Executive Committee must be ratified by a simple majority vote of the Chapter in session.
- 05.06.00 The Chapter Adjutant will act as Adjutant for the Executive Committee and will take the minutes of the Committee meetings. Those minutes shall be read and approved at the next regular meeting of the Chapter which then ratifies the Executive Committee's actions.

ARTICLE SIX - AUXILIARY ORGANIZATIONS

- 06.01.00 The Chapter recognizes a women's auxiliary, subject only to such supervision as it conforms with the National and State By-laws of both organizations. Such auxiliary organization is known as the Disabled American Veterans Auxiliary, Allen Alto Unit #38; Traverse City, Michigan.

ARTICLE SEVEN - STANDING COMMITTEES

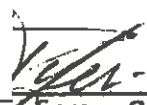
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 - (d) Legislative Action Committee;
 - (e) Newsletter Committee; and
 - (f) Older Veterans Assistance Committee (with no limit on number of members).
- 07.04.00 Other committees may be appointed for specific purposes, usually with a time limit designated at the time of appointment.

ARTICLE EIGHT - AMENDMENTS; SURVIVAL OF ACTIONS; EFFECTIVE DATE

- 08.01.00 These By-laws may be amended by a majority affirmative vote of 67% of the members in good standing at any regular meeting, provided that:
 - (a) proposed amendments are submitted in writing; and
 - (b) proposed amendments are read at one meeting prior to the meeting that the proposed amendments are voted on.
- 08.02.00 Amendments to these By-laws are subject to the approval of the Disabled American Veterans National and State Judge Advocates.
- 08.03.00 No amendment may be made that will avoid any limitation imposed by the Disabled American Veterans national and state organizations.
- 08.04.00 These By-laws replace all previous By-laws of the Chapter. Any proceedings commenced or rights and causes of action accruing during the interim are hereby expressly preserved and declared to survive, and likewise any action or orders of officers or the Executive Committee taken or issued pursuant to the date these By-laws go into full force and effect.

08.05.00 ATTEST: Adopted after this third and final reading the 26 day of June, 1991, 1991, which was the third

ATTEST: 


Commander

Albert (Signatures) Adjutant er, Commander

As adopted after the third and final reading the 26th day of June, 1991.

Approved: _____
State Judge Advocate Date

Approved: _____
National Judge Advocate Date