

August 11, 1983



Mr. Thomas J. Oliver, Sr., Commander  
Thunder Bay Chapter #61  
Disabled American Veterans  
11355 U.S. 23 North  
Alpena, MI 49707

Dear Commander Oliver:

Enclosed please find Constitution and Bylaws for Thunder Bay Chapter #61, Department of Michigan. I have reviewed this document and find the following discrepancies:

Article IV, Section 3 grants the Chapter the authority to reject an applicant who is otherwise eligible under the provisions of Article XI of the National Constitution and Bylaws.

Article X, Section 1 should require the approval of the Department Judge Advocate prior to that of the National Judge Advocate.

Other than the above exceptions, the Constitution and Bylaws for Thunder Bay Chapter #61, Department of Michigan, is approved by the undersigned.

A copy of this document as well as a copy of this response is being furnished to the State Department of Michigan for their information and files in addition to placing a copy of each on file here at National Headquarters for future reference.

Sincerely,

BONIFACE R. MAILE  
National Judge Advocate

BRM:C:ahb

cc: Mr. Russell Spalding, Commander  
Department of Michigan

enclosure

DISABLED  VETERANS

THUNDER BAY CHAPTER NO. 61  
1020 U.S. 23 NORTH  
ALPENA, MICHIGAN 49707

CONSTITUTION AND BYLAWS  
DISABLED AMERICAN VETERANS  
Thunder Bay Chapter #61  
1020 U.S. 23 North  
Alpena, Michigan 49707

ARTICLE I

TITLE

This Chapter shall be known as Thunder Bay Chapter #61, Disabled American Veterans, located at 1020 U.S. 23 North, Alpena, Michigan 49707.

ARTICLE II

To uphold and maintain the Constitution and the 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 veterans, to cooperate with the United States Veterans Administration all other public and private agencies, to stimulate a feeling of mutual devotion to serve our comrades, our communities and our Country, and to encourage all people the spirit of understanding which will guard against future wars.

ARTICLE III

Section 1: Regular meetings of this Chapter shall be held on the second Wednesday of each month, except when changed by a majority vote of the Chapter.

Section 2: Special meetings may be called at the discretion of the Commander providing that the members be notified in time to attend such meetings.

Section 3: All meetings shall start promptly at 8:00 P.M. unless otherwise authorized.

ARTICLE IV

Section 1: Membership Rules for membership shall be the same as in the National Constitution.

Section 2: Application for membership shall be made in writing giving name address, rank and organization, a statement of his or her disability, and where

Continued

possible serial number, Social Security number, and Compensation number. Application shall be presented at a regular meeting to the adjutant and referred to membership Committee, hereafter authorized.

Section 3: Applicants shall be examined by Membership Chairman appointed by the Commander, and reported to the Chapter as to their eligibility for membership if eligible, voted by the Chapter whether they are to be members.

## ARTICLE V

### Dues, Fees, and Finance

Section 1: Annual dues in this Chapter shall be Twelve Dollars (\$12.00) per year.

Section 2: All funds of this Chapter, except as herein provided otherwise, shall be placed in a Federal or State Bank in the name of Thunder Bay Chapter #61, Disabled American Veterans, by the treasurer. All checks or orders payable to this Chapter shall be endorsed by the Treasurer or in his absence or disability, by the Commander, or Adjutant. No money shall be paid out of bank account except on a warrant signed by the Commander and the Adjutant, or in their absence, by the next in authority. All checks or disbursements of money from this account shall be issued from an official check book with checks properly numbered and recorded therein and shall be signed by the Treasurer, or in his absence or disability, by the Adjutant, and countersigned by the Commander, or in his absence or disability, by one of the Vice-Commanders.

Section 3: No money exceeding the sum Twenty-five Dollars (\$25.00) for relief to any one individual shall be paid by the Chapter unless approved by the Executive Board or Trustees and then by the Chapter.

## ARTICLE VI

### Officers and Their Duties

#### Section 1:

(a) The elective officers of this Chapter shall be a Commander, Senior Vice-Commander, Junior Vice-Commander, Adjutant, Treasurer, E.C., Judge Advocate and Chaplain and Service Officer.

(b) These Officers shall be elected for a period of one (1) year. To fill a vacancy the Commander shall have the power to appoint a member in good standing to fill the vacancy for the unexpired term. If the office of the Commander is vacated, the Senior Vice-Commander shall be elevated to Commander; Junior Vice Commander shall be elevated to Senior Vice Commander. The newly elevated Commander shall then appoint a Junior Vice Commander to fill the unexpired

term.

Section 1 Continued:

(c) In the election of Officers, Candidates must receive a majority of the votes cast to be elected. If more than one candidate election must be by a ballot vote.

(d) A State Executive Committeeman and Alternate shall be elected in accordance with Constitution of the State Department.

(e) A Sergeant-at-Arms, Officer of the Day and Color Bearers shall be appointed by the Commander.

(f) Delegates to any state or National Convention shall be elected in accordance with the Constitution or National By-Laws.

Section 2: There shall be an Executive Board comprising all elective officers, as provided in Section 1 of this Article, and three (3) Club House Trustees to be elected by the Chapter. This Board shall have charge of all property of the Chapter and approve all bills before warrants are drawn for their payments. The Executive Board shall determine who shall audit the books of the Chapter.

Section 3:

(a) In every instance where any officers are to be elected for the full term, date and place of such election and office for which election is to be held, shall be given to every member of this Chapter, addressed to his last known address, with sufficient postage prepaid. Such notice to be mailed not less than ten (10) days before the date of such election. Any election of Officers held without such notice shall be absolutely void. No election of Officers shall be held at any place other than the regular meeting place of this Chapter, 1020 U.S. 23 N., Alpena, Michigan.

(b) The Chapter may, by a two-thirds vote, declare vacant the position of any officer who has absented himself for three (3) consecutive meetings, providing a notice has been given to the delinquent officer.

Section 4: The duties of the Commander shall be to preside at all meetings of the Chapter, Lounge Committee, Building Committee, and Executive Board, to enforce all laws, and orders from the proper authority, to appoint all officers and committees not otherwise provided for, and such duties as the Constitution and By-Laws of this organization may require.

Continued

Section 5: It shall be the duty of the Senior Vice Commander to assist the Commander in preserving order, to preside in absence of the Commander, and he shall perform such other duties as the laws and rules may require.

Section 6: The Junior Vice Commander shall assist the Sr. Vice Commander preserve order and shall perform such other duties as may be required of him by the laws and rituals. In the absence of the Commander and Senior Vice Commander he shall preside over meetings. In case none of the Commanders are present, the Chapter shall elect a Commander protempore.

Section 7:

(a) It shall be the duty of the Adjutant to keep a record of all meetings Lounge Committee, Building Committee, and any other meetings that will be held by the Chapter, to keep books in proper order on the business of the Chapter, to attend to all the correspondence, keeping copies of all outgoing mail for filing, keep a record of all members, receive money for dues or other revenue, turn all money he may receive over to the Treasurer, and such other duties as may be required of him for the Commander. He shall also be the Adjutant of the Executive Board.

Section 8: The Treasurer shall keep a strict account of all receipts and expenditures, of all cancelled checks and stubs, and the warrants authorizing expenditures.

Section 9: The Chaplain shall perform such duties as may be required by the ritual laws, sending cards to members, families, while members are hospitalized.

Section 10: The Sergeant-at-Arms shall have charge of the doors and perform such other duties as the laws and ritual may require.

Section 11: The Officer of the Day and Color Bearers shall perform the duties prescribed by the ritual.

Section 12: There shall be an election of Club House Trustees by the Chapter consisting of three (3) members. Those eligible for membership on this Board shall be a member in good standing, and be or have been Commander, Senior Vice-Commander, Junior Vice Commander, Adjutant or Treasurer of the Chapter.

(a) One member of the original three members of the Board shall be elected for a period of one (1) year, one for two (2) years, and one for three (3) years and Commander in case of tie vote, and there after members shall be elected for a period as determined by the Chapter.

#### ARTICLE V

A quorum shall consist of nine (9) members in good standing including elective Officers.

#### ARTICLE VI

Power of Commander and Senior Vice Commander

Continued

**Article VI - Power of Commander and Sr . Vice Commander continued:**

The Commander and Senior Vice Commander shall constitute a Committee having the power, during the recess of the Chapter, to distribute from its funds any sum not to exceed Twenty-five Dollars (\$25.00) for the relief of any worthy distressed comrade.

**ARTICLE VII**

**Delinquent Members**

No member who is indebted to this Chapter shall be eligible to vote on any question pertaining to the remission or cancellation of debts owed members of this Chapter.

**ARTICLE VIII**

**Appointed Committees**

**Section I:**

Shall make reports of any projects assigned them by the Commander or if Commander is unable to attend meeting due to health then Committee members make their reports to the Senior Vice Commander at meetings held the second Wednesday of each month.

**Section II:**

Any recommendations from Committee must be approved by two-thirds of membership at Chapter meetings.

**ARTICLE IX**

**Section I:**

Thunder Bay Chapter Officers or appointed members, Auxiliary Officers or appointed members, shall agree on price of rental when kitchen is involved.

**Section II:**

Auxiliary will be involved only when complete rear of Club Rooms are rented due to kitchen is furnished by Auxiliary, rentals only to Baby Showers, Bridal Showers, Business meetings, to members of Thunder Bay Chapter #61. Weddings will not be included in rental of hall under any circumstances.

**ARTICLE X**

**Effective Date and Amendments**

**Section I:**

This Constitution shall not be or become effective until adopted by a two-thirds vote of this Chapter and approved by the National Judge Advocate.

**Section II:**

This Constitution may be amended only by having the proposed amendment submitted and read at one meeting and adopted by a two-thirds vote of the Chapter at the next regular meeting and no amendment shall become effective

until approved as provided in Section 1, above.

Section 3:

To the extent to which the provisions of this Constitution and By-Laws and lawful mandates, decisions, and regulations of either the State or National Department, as now in force or as after amended, this Constitution shall be deemed as to conform thereto.

RULES OF ORDER

Every member, when he speaks or offers a motion, shall be standing, shall respectfully address the Chair as "Comrade Commander" and, when finished, shall resume his seat; while speaking he or she shall confine themselves to the question under debate.

2. Should two or more members arise to speak at the same time, the Chair shall determine which is entitled to the floor.

3. If a member, while speaking, should be called to order, he or she shall cease speaking until the question of order is determined. Then, if permitted, he or she may proceed.

4. No member shall speak more than twice on the same question without permission from the Chair.

5. Debate of any question shall be limited to five minutes by any one member at a time.

6. All members shall be spoken of or to as "Comrades" and no other title shall be used.

7. Any member coming in late will not be admitted during opening ceremony but must wait in the anteroom until the colors have been placed. He or she must proceed to the altar, give the proper sign and be recognized by the Commander before taking a seat.

8. In event of visits of National Officers or Department Officers at a meeting of the Chapter, the Sergeant-at-Arms shall conduct such officer to the altar, instruct him to give the proper sign and shall announce to the Commander this "Comrade Commander, the National Commander (or whatever his title) honors us with his presence." The Commander recognizes the visiting officer and proceeds to altar to conduct the officer to a seat at his right.

9. Visiting Chapter officers shall be given seats to the left or to the rear of the Commander but will not be conducted by the Commander during the meeting.

Continued

10. No member shall, during the meeting, cross hall between alter and Commander. If he or she wishes to move from one side of the hall to the other, he or she will pass to the rear of the alter.

11. Any member desiring to leave the hall during meeting will proceed to the alter and receive recognition from the chair as he or she passes out.

12. Visiting members shall be accorded all privileges of the meeting except voting.

13. Roberts Rules of Orders shall govern all points of parliamentary law not contained in these rules of order, and a copy of Roberts' Rules of Order shall be on the Commander's desk at every meeting.

CERTIFICATE OF ADOPTION

The above Constitution was adopted by Thunder Bay Chapter No. 61, Disabled American Veterans, 1020 U.S.v23 North. at Alpena, Michigan 49707 this 15TH day of JUNE 1983, subject to approval of the National Judge Advocate.

*James J. Oliver, Jr.*  
Chapter Commander

ATTEST:

*Patrick R. Dyle, Jr.*  
Acting Chapter Adjutant

Approved:

Approved: 7-16-83

National Judge Advocate

*John T. Scott*  
State Department ~~Adjutant~~  
JUDGE ADVOCATE

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: *8/10/83*  
*Benjamin M. ...*  
BAY National Judge Advocate

*subject to letter dated 8/11/83*