

REC'D MAY - 8 2008

May 5, 2008

Mr. Les L. Schneider, Adjutant
Shiawassee County Chapter #63
Disabled American Veterans
8499 E. M-71, #222
Durand, MI 48429-1065

Dear Mr. Schneider:

The Constitution and Bylaws for Shiawassee County Chapter #63, Department of Michigan, is hereby approved as of this date.

A copy of this document is being returned to Chapter #63, a copy is being sent to the Department of Michigan, and a copy is being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

COPY

MICHAEL E. DOBMEIER
National Judge Advocate

MED:as
Enclosure

c: Department of Michigan ✓

**CONSTITUTION
AND
BYLAWS**

of

**SHIAWASSEE COUNTY CHAPTER #63 INCORPORATED
DISABLED AMERICAN VETERANS
OF
OWOSSO, MICHIGAN**

DATED 1985

CHG DATED 3/2008

CONSTITUTION AND BYLAWS OF
SHIAWASSEE COUNTY CHAPTER #63 INCORPORATED
OWOSSO, MICHIGAN

CONSTITUTION

ARTICLE I - NAME

The name of this Chapter shall be Shiawassee County Chapter #63 Incorporated, Department of Michigan, Disabled American Veterans.

ARTICLE II – PURPOSE

The purpose of this Chapter is to build better lives for all of our nation’s disabled veterans and their families and, in furtherance of that purpose, to support the programs of the Disabled American Veterans as provided in the National Constitution and Bylaws and Regulations of the National Executive Committee.

ARTICLE III- MEMBERSHIP

Membership in this Chapter shall conform with the requirements as set forth in the National Constitution and Bylaws. There shall be no associate, special or honorary memberships in this Chapter.

ARTICLE IV - ADMINISTRATION

Section 1: The administrative affairs of this Chapter shall be vested in the Chapter Executive Committee in emergencies only and all other actions of the Chapter Executive Committee must be ratified by a majority vote of those Chapter members present and voting, at the next regular Chapter meeting.

Section 2: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer and any other elected Chapter officers.

Section 3: At the time specified in the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, and a Treasurer. Such other officers as may be necessary to operate the Chapter may be appointed by the Commander, with the approval of the Chapter. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

ARTICLE V - EXECUTIVE

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

ARTICLE VI - AUXILIARY

This Chapter recognizes a DAV Auxiliary, subject to such supervision as conforms with the National and Department Constitution and Bylaws of both organizations.

ARTICLE VII - AMENDMENTS

This Constitution may be amended at any Chapter meeting by a vote of two-thirds of those Chapter members present and voting, subject to approval of the Department and National Judge Advocates, and effective only after the date of said approval, provided that any such amendment is read at two (2) meetings and that all Chapter members were notified of the proposed change by mail, ten (10) days prior to each of the two (2) meetings.

BYLAWS

ARTICLE 1 – ORGANIZATION

This chapter recognizes the National Organization known as the Disabled American Veterans, incorporated by act of Congress, and affirms its allegiance, and subordination, to the National Organization, its Constitution, Bylaws and all rules, mandates and regulation promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after the payment of its debts. Shall be distributed as provided in Article 6, Section 6.4, Paragraphs 5 and 6, of the National Bylaws.....

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

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

ARTICLE 2 - CHARTER

The Charter of this Chapter, issued by the National Executive Committee, shall be its authority to function and shall be displayed behind the Commanders station at all regular meetings.

ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer and any 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 the members of the Chapter Executive Committee 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 annually a Commander, Senior Vice Commander, Junior Vice Commander, and a Treasurer. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Para. 2: The Commander shall appoint an Adjutant, Committee Chairmen and Members; with the exception of the Nominating Committee; and such other Officers as are necessary to carry out the business of the Chapter.

Para. 3: A Chapter Officer Report shall be submitted to the State Department and the 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 absence, the duty will fall to the next highest officer in line of succession who is present.

Para. 2: The Commander shall be the Membership Chairman and as such is responsible for campaigns to increase membership.

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 shall make a report on finances at each Chapter meeting and his records shall be open to any member in good standing when a request is made in writing through the Executive Committee. An Annual Report shall be submitted to the State Department and the National organization within ninety (90) days after the close of the accounting year of the Chapter.

Section 3. No member can serve in two (2) elected offices at the same time.

ARTICLE 5 - QUALIFICATIONS

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

ARTICLE 6 - TENURE

Section 1: Officers shall be nominated during the April meeting and the nominating slate reread prior to the May election meeting.

Section 2: Elected and appointed officers shall be installed prior to the Department Convention each year. Installation shall take place within 30 days of their election or appointment. They shall serve for one (1) year or until newly elected or appointed officers have been installed.

Section 3: Para. 1: Unexcused absence of any officer from (3) three consecutive meetings shall be cause for removal and the Commander is empowered to appoint a member to serve the unexpired term, subject to the approval of the Chapter.

Para. 2: In the event the office of the Commander shall be vacated for any reason, the Senior Vice-Commander shall be elevated to Commander, the Junior Vice-Commander to Senior Vice-Commander and the vacancy filled as outlined in Para. 1 .

Section 4: It shall require a majority of votes to elect a candidate for any office. It shall also require a majority of votes to elect Delegates and Alternates to State and National Conventions. However, if there are less delegates or 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 - MEMBERSHIP

Section 1: Applicants for membership shall be investigated by the Membership Committee and a report made to the Chapter at the next regular meeting.

Section 2: The same procedure shall apply to transfers.

Section 3: Only members in good standing are eligible to vote on any motion or election.

Section 4: No applicant shall be denied Chapter membership if he meets the eligibility requirements as set forth in the National Constitution and Bylaws.

Section 5: Life members may secure a transfer of membership upon approval of the Chapter.

ARTICLE 8 - FINANCES

Section 1: The Treasurer or other designated officer shall deposit all monies in the name of the Chapter and shall co-sign with the Commander or one other officer all checks.

Section 1; Para. 1: There must be two (2) authorized signatures signed on all withdrawals /transfers from any account owned by the chapter. One of those signatures must be the treasurer.

Section 2: The Treasurer and/or Commander, Finance committee chairman, or adjutant or other designated Chapter officer shall be charged with handling normal finances in the operation of the Chapter. Any withdraws will require a voucher /receipt.

Section 3: Membership dues shall be as provided in the National Bylaws.

ARTICLE 9 - MEETINGS

Section 1: Regular Chapter meeting dates, time and location shall be determined by majority vote of the Chapter in session.

Section 2: The Chapter must hold at least four (4) regular meetings with a quorum present within a membership year.

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

RULE 1: A quorum shall consist of five (5) members in good standing, of which at least two (2) must be elected Chapter officers.

RULE 2: Roberts Rules of Order, Revised, will govern except as hereafter specifically stated.

RULE 3: Discussion of personal grievances will not be in order on the floor unless brought up by the Grievance Committee.

RULE 4: Matters concerning the individual only with respect to his own personal interest, shall not be in order but may be taken before the proper committee.

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

ARTICLE 10 - COMMITTEES

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

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

Section 3: The Chapter shall have an Audit Committee composed of at least three (3) members of the Chapter, excluding the Commander, Senior Vice Commander, Treasurer, Adjutant and Finance Committee Chairman. The Audit Committee shall conduct an annual audit in accordance with the requirements of the National Bylaws.

