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July 30, 1979

Ms. Vivian G. Eisele, Adjutant
Capitol City Chapter #8
DISABLED AMERICAN VETERANS
2119 Lyons Avenue
Lansing, Michigan 48910

Dear Ms. Eisele:

This is to advise that the Constitution and Bylaws for Capitol City Chapter #8, Department of Michigan, were reviewed and approved by the undersigned.

A copy of this document is being furnished to the State Department for their information and files in addition to placing a copy in our permanent files here at National Headquarters for future reference.

Sincerely,

Boniface R. Maile
BONIFACE R. MAILE
National Judge Advocate

BRM:C:ahb

enclosure

cc: Mr. Edward E. Werner, Adjutant
Department of Michigan

CONSTITUTION AND BY-LAWS
CAPITOL CITY CHAPTER NO. 8, MICHIGAN
DISABLED AMERICAN VETERANS

CONSTITUTION

ARTICLE 1 - NAME

Section 1. The name of this chapter shall be - "Capitol City Chapter No. 8, Disabled American Veterans."

Section 2. Comprised of the Greater Lansing Area, Lansing, County of Ingham, State of Michigan.

Section 3. This chapter shall be under and subject to the jurisdiction of the State Department of Michigan and the National Headquarters of the Disabled American Veterans.

Section 4, Our charter is dated 6 June 1929, and was incorporated January 7, 1974 for the purpose of buying property for a chapter home.

ARTICLE II - PURPOSE

The purpose of this chapter is to support the programs of the Disabled American Veterans as defined in the National Constitution and By-Laws.

ARTICLE III - MEMBERSHIP

Section 1. Membership in this chapter shall conform with requirements as set forth in the National Constitution and By-Laws.

Section 2. All members who joined this chapter on or before June 3, 1929 shall be known as charter members of this chapter.

Section 3. The annual dues of this chapter shall be ten dollars (\$10.00) per annum. Life membership shall be governed by the National By-Laws.

ARTICLE IV - AUXILIARIES

This chapter recognizes a Woman's Auxiliary, subject only to such supervision as conforms with the National and Department of Michigan Constitution and By-Laws, of both organizations. And the National Order of Trench Rats, Dugout # 82 as an auxiliary unit of this chapter, subject to supervision and recommendations of the Disabled American Veterans.

ARTICLE V - AMENDMENTS

This Constitution may be amended at any regular meeting by a three-fourths vote of the members present, provided that the proposed amendments shall have been read at two previous meetings, and the membership notified in writing of the dates of the reading of the proposed amendments.

CAPITOL CITY CHAPTER NO. 8, MICHIGAN
DISABLED AMERICAN VETERANS

BY-LAWS

ARTICLE 1 - MEETINGS

Section 1. The regular meetings of this chapter shall be held the second and fourth Monday evening each month, except July and August, which is at the call of the Commander, at a time and place suitable to the membership of this chapter.

Section 2. Special meetings may be called by the Commander whenever he deems it necessary, or when requested in writing by ten (10) members of this Chapter in good standing.

Section 3. The call of any special meeting shall state specifically the purpose for which the meeting has been called and no other business than that specified in the call shall be transacted at such meetings.

Section 4. Notice of such special meetings shall be mailed to all members in good standing at least five (5) days prior to such meeting, stating time and place.

Section 5. A Quorum shall consist of ten (10) members in good standing.

ARTICLE II - OFFICERS AND THEIR DUTIES

Section 1. The elected officers of this chapter shall consist of a Commander, Sr. Vice Commander, Jr. Vice Commander, Treasurer, Chaplain, A State Executive committeeperson and an alternate Executive Committeeperson.

Section 2. The appointed officers of this chapter shall consist of an Adjutant, Sergeant-At-Arms, Officer of the Day, Judge Advocate, Hospital Chairperson, and Service Officer, who shall be appointed by the Commander, to be approved by the Executive Committee.

Section 3. The Commander may appoint any other committees as he/she deems necessary to carry out the functions of this chapter, for the good of the organization.

Section 4. The Commander is the executive officer of this chapter and in his/her absence the next highest officer present will preside at all regular and special meetings of the chapter. He/She shall maintain order and dispatch such business as may legally come before them. Countersign all checks that have been issued and signed by the Treasurer or Adjutant. The Commander shall call the audit committee quarterly to audit the books of the Treasurer. He/She shall serve as ex-officio chairperson of all committees appointed by him/her. He/She shall perform all other duties that may reasonably be assumed to be incidental to the office of Commander.

Section 5. The Sr. Vice Commander will preside in the absence of the Commander, and shall be the membership chairperson, and as such is responsible for the campaign to increase membership.

Section 6. The Jr. Vice Commander will preside in the absence of the Commander and Sr. Vice Commander, and will assist the Sr. Vice Commander in the membership duties.

Section 7. The Treasurer shall receive and make receipts for all monies obtained, and deposit such money, to the checking account. He will make disbursements only by check from this account. All checks made and signed by the Treasurer will be co-signed by the Commander, and in his/her absence will

ARTICLE II - continued:

be co-signed by the adjutant; The treasurer will be responsible for maintaining the savings account and the Building Fund account, keeping the interest posted. Any withdrawals from either savings account must be signed by two of the three authorized signatures; He/She shall keep a system of accounts, approved by the executive committee, and shall preserve all receipts for monies received and cancelled checks for all disbursements along with the bank statements; He/She shall make a monthly written report of all monies received and all expenditures made and this report will be read at the first meeting of the month; He/She shall make a yearly report as of June 30, which shall be approved by the audit committee, then submitted to the National Headquarters and the Department of Michigan of this organization, not later than August 1, annually; He/She shall file an IRS 990 form, if the income warrants it, with the Internal Revenue Service before their prescribed filing date.

Section 8. The chaplain shall perform all duties as prescribed in the official ritual of the National By-Laws; and all such duties as might be incumbent upon the office of the chaplain.

Section 9. The Adjutant shall keep a true and complete copy of all business conducted by the chapter and its executive committee; He/She shall conduct all necessary correspondence; Write and have mailed out the chapter bulletins; Keep an up to date alphabetic file of all the membership cards as issued by the National Headquarters to this chapter; Keep an up to date alphabetic file of all address plates used to mail out the chapter bulletin; Keep an up to date alphabetic list of all members, including the delinquent members of the past two years, which shall include their name, membership status, address and phone number; Keep a file of all the first card or membership application, a file of the last membership cards, and a file of the last membership cards for the deceased members, whenever possible showing the deceased date; Countersign all checks in the absence of the Commander; In the absence of the Treasurer will issue and sign checks, which will be countersigned by the Commander; File the non-profit organization incorporation papers before the lawfully prescribed date; And any other duties pertinent to this office as assigned to the adjutant by the Commander or executive committee.

Section 10. The Sergeant-At-Arms shall be responsible for those present at a meeting to their eligibility for participation therein and shall report all visitors to the Commander; He/She shall enforce and obey the order of the Commander in preserving order at the meetings; Shall allow no one to enter or depart during prayers, the opening ceremony, or initiation of recruits.

Section 11. The officer of the day and color bearers shall perform such duties as required in the official ritual of the National Organization.

Section 12. (a) The Judge advocate shall, upon the request of the Commander, the executive committee or the chapter meeting, render his/her opinion upon all existing and all proposed parts of the chapter constitution and by-laws of this organization, and upon all questions of parliamentary procedure and upon all questions arising out of chapter disputes.

(b) Upon receiving the opinion of the Judge Advocate upon such questions, the Chapter Commander shall render a decision which shall be subject to appeal to the Chapter Executive Committee, the Department Judge Advocate, the National Judge Advocate, in that order, provided that notice of intention of appeal is given in writing to the Chapter within thirty (30) days after the decision of the Chapter Commander is made known. In all such cases, the decision of the National Judge Advocate shall be final.

ARTICLE III - THE EXECUTIVE COMMITTEE

Section 1. The executive committee shall be composed of the elected officers as listed in Article II Section 1. of the By-Laws, and the immediate past chapter commander. It shall elect it's own chairperson. The chapter Adjutant shall act as secretary.

Section 2. A Quorum of the Executive Committee shall consist of a majority thereof.

Section 3. The Executive Committee shall determine all legislative, administrative and chapter business not otherwise specifically provided for herein.

Section 4. The majority of the Executive Committee shall pass on all contracts affecting the chapter and is empowered to exercise and use every precaution deemed necessary to protect the finances and property of the chapter and to promote its welfare; It shall keep a correct record of all notes, stocks, bonds and property of every nature whatsoever under its control and supervision; It shall render a complete report to the chapter of all its transactions at the time of the next following chapter meeting.

Section 5. The chapter shall act on all reports and recommendations of the executive committee, and the chapter action shall be final.

ARTICLE IV - COMMITTEES

Section 1. The Audit committee shall audit the records and accounts of the Treasurer at least once each quarter, at the call of the Commander, and following such audit shall render a report to the next chapter meeting.

Section 2. The hospital committee shall make visits to the sick members, or their family in case of a deceased member, and determine what chapter action should be taken in regards to flags, flowers or other items. Or donations to their favorite charity in memory of the deceased member. All items to be paid for by chapter check.

Section 3. All other committees shall function as prescribed by the Commander and the executive committee, that are not covered by the National or Department By-Laws.

Section 4. The Commander shall serve as ex-officio chairman of all committees appointed by him/her.

ARTICLE V - BUILDING COMMITTEE

Section 1. The Building Committee shall be composed of the Executive Committee plus three (3) members (a) appointed by the Commander to be endorsed by the chapter body or (b) nominated and elected from the floor at the first meeting in September, so incorporation papers can be filed by the adjutant before the legal date now due, October 1.

Section 2. In the event the chapter purchases property for a chapter home, the building committee will meet, set up rules to govern it's maintenance, control and upkeep.

Section 3. Their findings shall be reported to the next chapter meeting for final approval or revision from the floor, before the final adoption of their rules and regulations.

Section 4. All expenditures by the building committee, except emergency repairs, shall be presented to a chapter meeting, for authorization of the expenditure.

Section 5. All expenditures shall be paid by chapter check only.

ARTICLE VI - NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

Section 1. Notification of the nomination and election dates shall appear in the February, March and April bulletins.

Section 2. The annual election of officers will conform with the Department of Michigan By-Laws. Nomination of officers will be held the first meeting in April with further nominations and election the second meeting in April.

Section 3. Officers will be installed prior to July 1. The term of office shall be for the ensuing year ending June 30.

Section 4. Delegates to the Department and National Convention will be elected the same meeting as election of officers.

Section 5. In the event a vacancy occurs prior to installation, due to resignation, death, sickness or other causes, nomination and election shall be held the same meeting night the vacancy is received.

Section 6. If a vacancy occurs after installation, nomination, election and installation will be held the same meeting night the vacancy is received.

Section 7. All nominations are to be made from the floor by a member in good standing of the chapter. Nominations and elections of officers shall be made in the order of the officers mentioned in Article II Section 1 of the By-Laws.

Section 8. All voting for election of officers shall be made by written ballot, except by unanimous consent.

Section 9. (A) It shall require a majority of votes cast to elect a candidate to office. (b) Unless agreed upon by a two thirds viva voce of the members voting, that the nominee receiving the most votes shall be declared the winner. If needed the one receiving the second highest number of votes shall be declared the alternate.

Section 10. Only members in good standing of this chapter may be a candidate for any office or be a delegate to the Department or National Convention.

ARTICLE VII - MISCELLANEOUS

Section 1. The supreme power of action shall rest with the chapter when in regular session. The Executive Committee to be the governing body between regular meetings of the chapter.

Section 2. The Executive Committee may declare vacant the office of any officer who fails to attend three consecutive meetings of the chapter without proper excuse. The chapter may at any time declare any office vacant for failure of any member to perform the duties of his/her office, by a two-thirds viva voce.

Section 3. All matters as to charges, trials and discipline of members shall be in accordance with the National By-Laws.

Section 4. There shall be no voting by proxy. Only members in good standing shall be entitled to vote. Each member shall be entitled to only one vote.

Section 5. The Commander shall be entitled to vote only in case of a tie, or when the voting is done by written ballot.

Section 6. A copy of this constitution and by-laws 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 7. The rules contained in Robert's Rules of order shall govern this chapter in all cases to which they are applicable and in which they are not contrary to this constitution and by-laws.

ARTICLE VIII - AMENDMENTS

Section 1. These by-laws may be amended at any regular meeting of the chapter upon a two-thirds vote of the members present, provided that the proposed amendments shall have been read at two previous meetings, and membership notified in writing of the dates of the reading of the proposed amendments.

Section 2. This constitution and by-laws shall become in full force and effect on and after its approval and adoption by the Chapter, State Department and the National Headquarters of the Disabled American Veterans.

Section 3. To the intent to which the provisions of this Constitution and By-Laws are or may be at any time become inconsistent with the provisions of the Constitution and By-Laws and lawful mandates, decisions and regulations of either the State Department of Michigan or National Headquarters of the Disabled American Veterans, is now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.

ATTEST: This revised Constitution and By-Laws of Capitol City Chapter No. 8 Disabled American Veterans was adopted after this third and final reading:

This 25 day of June 1979

Vivian G. Eisele Dale A. Kempher
Adjutant Commander

APPROVED:

This 3rd day of July 1979

John T. Seave
Department of Michigan Judge Advocate

APPROVED:

This _____ day of _____ 1979

National 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:

[Signature]
National Judge Advocate

Revised: June 25, 1979

7/26/79