

FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

CONSTITUTION AND BYLAWS OF DISABLED AMERICAN VETERANS PAUL THOMPSON MEMORIAL CHAPTER #1

(Revised October 23, 2017)

Constitution

Article I – NAME

Section 1: The DAV National Organization chartered the Disabled American Veterans, Paul Thompson Memorial Chapter #1 on July 1, 1979, per Article IV of the National Constitution.

Section 2: The Disabled American Veterans, Paul Thompson Memorial Chapter #1, hereinafter referred to as the "Chapter," agrees to abide by the current National Constitution and Bylaws and the current Department of Maryland Constitution and Bylaws including updates and changes as approved by the appropriate conventions.

Article II – PURPOSE

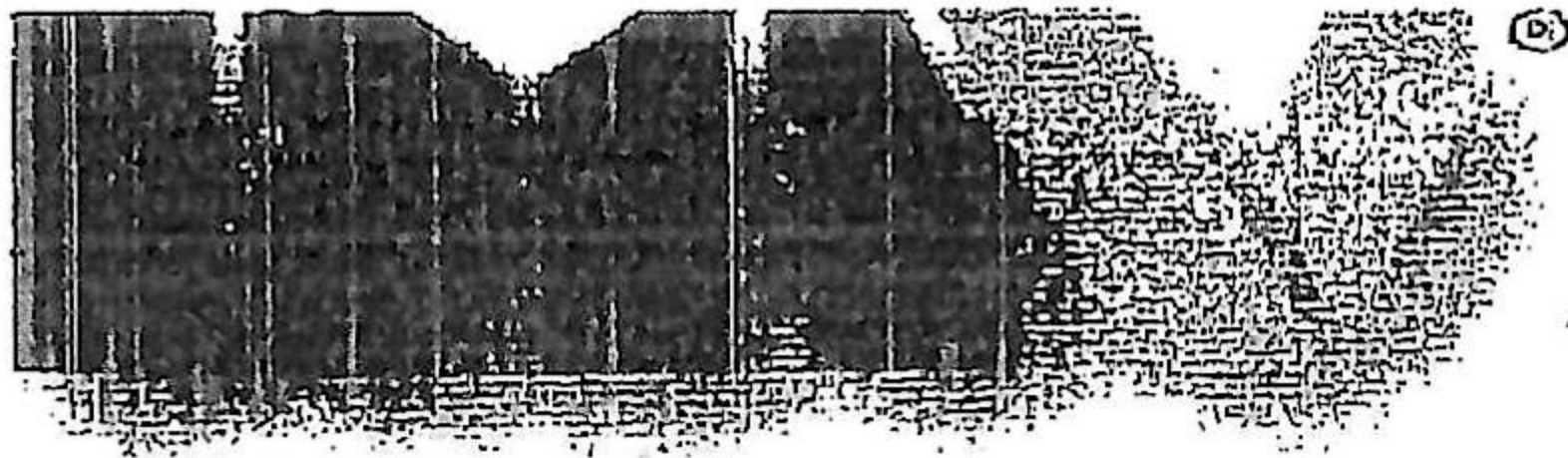
The purpose of this Chapter is to fulfill our promises to the men and women who served, and, in furtherance of that purpose, to support the programs of the Disabled American Veterans as provided in the National Constitution and Bylaws and Regulations of the National Executive Committee.

Article III – MEMBERSHIP

Membership in this Chapter shall conform with the requirements 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.



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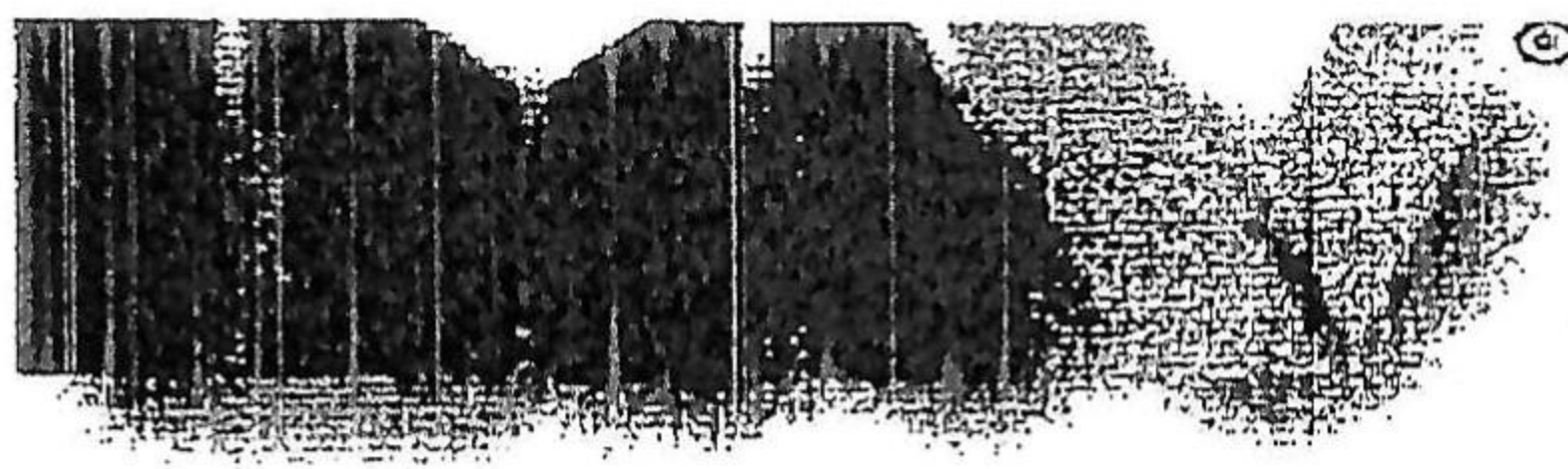
Section 2: The Chapter Executive committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commanders, Treasurer, Adjutant, and any other elected or appointed Chapter officers.

Section 3: At the time specified in the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander(s) 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

Section 1: The executive power of this Chapter shall be vested in the Chapter Commander.

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BYLAWS

Article 1 – ORGANIZATION

Section 1.1: This Chapter recognizes the National Organization known as Disabled American Veterans, incorporated by Act of Congress and affirms its allegiance, and subordination to the National Organization, its Constituent, Bylaws and all rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after the payment of all debts shall be disturbed as provided in Article 6, section 6.4, Paragraphs 5 and 6 of the National Bylaws.

Section 1.2: The governing body of the Chapter shall be the Chapter membership while in session, except as otherwise provided in this Constitution and Bylaws.

Section 1.3: Minutes of the Chapter, including the Chapter Executive Committee, shall be kept and be available for inspection by any Chapter member giving proper notice to the Adjutant or made available at any regular meeting of the Chapter.

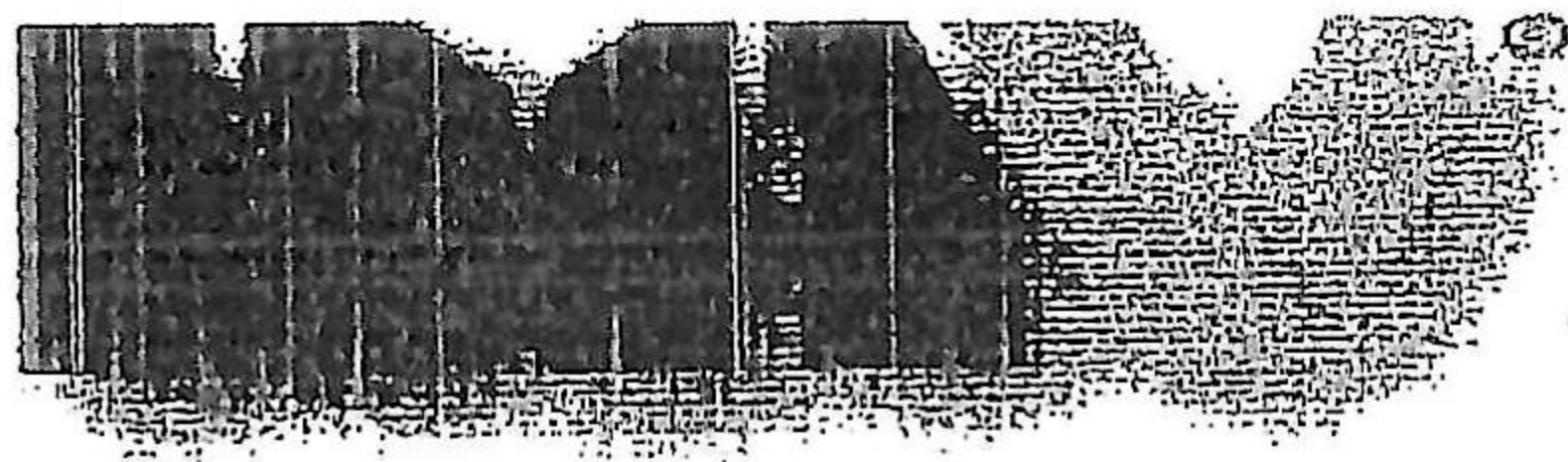
Section 1.4: All Chapter property will be inventoried and an accounting of said property shall transfer to the possession of the new Commander upon taking office. The new Commander has a right to see any and all equipment or property owned by the Chapter prior to taking possession of said property. The Commander has the right to give the responsibility of said property to his officers and or committee chairpersons for accountability.

~~**Section 1.5:** Each member of the chapter agrees not to bring any action or proceedings in any Court of Law or Equity against the National Organization and its Officers, the Department of Maryland and its Officers, and the Chapter and its Officers until all remedies provided in the National Constitution and Bylaws, Department of Maryland Constitution and Bylaws, Chapter Constitution and Bylaws, any and all lawful mandates of the same, have been fully exhausted.~~

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ARTICLE 2 – CHARTER

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



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ARTICLE 3 – EXECUTIVE COMMITTEE

Section 3.1: The Chapter Executive committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commanders, Treasurer, Adjutant, and any other elected or appointed Chapter officers.

Section 3.2: Meetings of the Chapter Executive Committee shall be called by the Commander, or at the request of 3 members of the Executive Committee for purposes of emergency or special business.

Section 3.3: Committee Chairpersons and other Chapter members may attend the Chapter Executive Committee meetings but without the right to vote.

Section 3.4: Three (3) members of the Executive Committee shall constitute a quorum.

Section 3.5: The Chapter Executive Committee may act for the Chapter only in emergencies and at all times shall recommend courses of action to the Chapter in session.

ARTICLE 4 – ELECTION AND DUTIES OF OFFICERS

Section 4.1: The Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Judge Advocate, and Treasurer. Neither the Chapter Commander nor any Chapter Vice Commanders may serve as Chapter Treasurer or Adjutant.

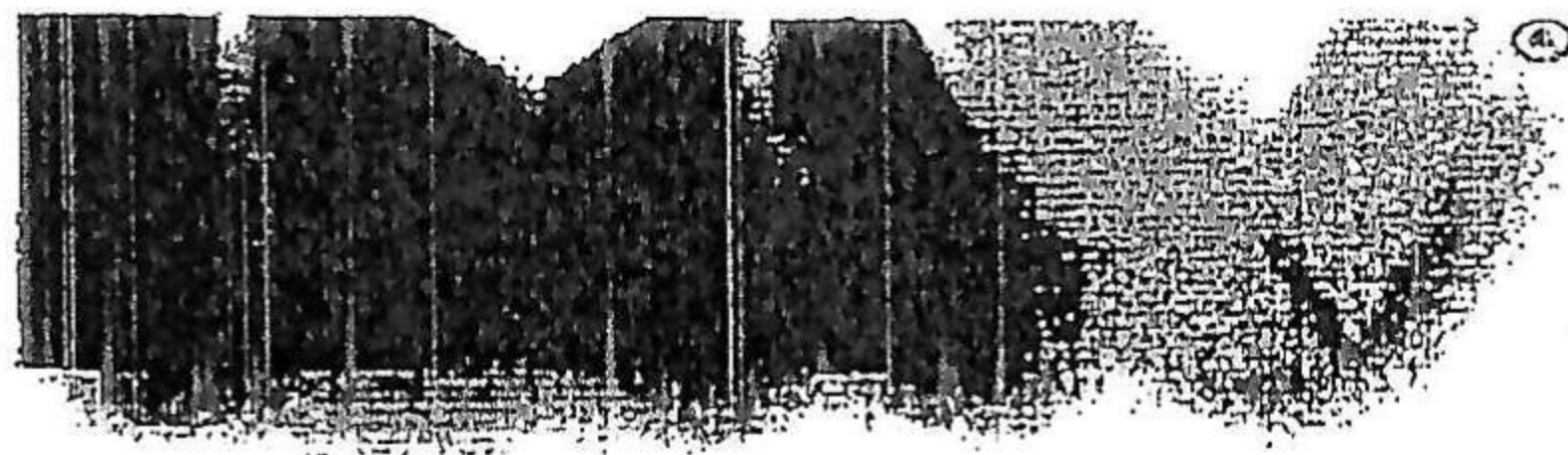
Section 4.2: The Commander, with the approval of the Chapter, shall appoint the Adjutant, Sergeant at Arms, Chaplain, and all Chapter Committees Chairpersons. Such other officers as may be necessary to operate the Chapter may be appointed by the Commander, with the approval of the Chapter.

Section 4.3: A Chapter Officer Report shall be submitted to the Department and National Organization within (10) days after the installation of newly elected and or appointed Chapter Officers during the membership year.

Section 4.4: There shall be no voting by proxy or voting by absentee ballot.

Section 4.5: The Commander shall be the presiding Officer at all Chapter meetings; and in his/her absence, the duties will fall to the Adjutant or next highest officer in the line of succession who is present.

Section 4.6: The Senior Vice Commander shall be the Membership Chairman and, as such, is responsible for campaigns to increase membership.



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Section 4.7: The Junior Vice Commander shall ensure that chapter programs are carried to completion and oversee Committee Chairpersons as given by the Commander and shall preside over the Chapter meeting in absence of Commander and Senior Vice Commander.

Section 4.9: The Treasurer shall receive and immediately deposit all Chapter funds in a bank account in the name of the Chapter without any deductions or offsets. He/She shall make authorized disbursements only by checks or vouchers signed by the Treasurer and countersigned by the Commander. 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 Chapter meeting following the last day of each calendar month. An annual financial report, audited and approved by the Chapter Audit Committee, shall be submitted to the State Department and National Organization within ninety (90) days after the close of the accounting year of the Chapter, as required by the National Bylaws.

Section 4.10: Upon the election, or the appointment, and the installation of the successor to any such Chapter office, all Chapter property in his/her predecessors' possession shall be surrendered to the newly installed officer.

ARTICLE 5 – QUALIFICATIONS

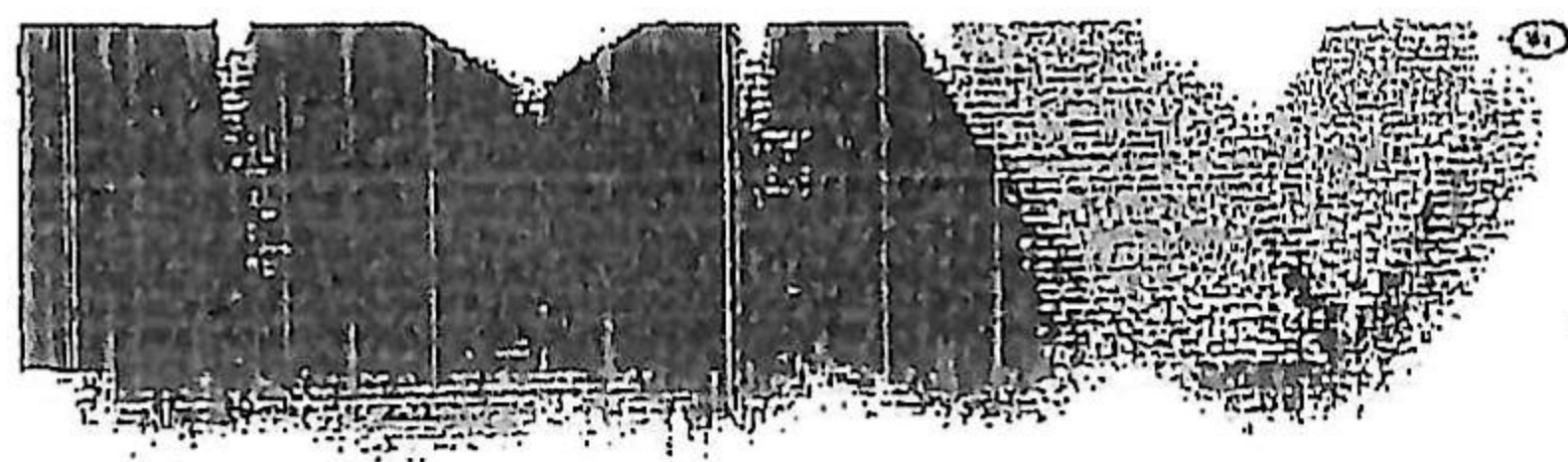
Any person that is a member of this Chapter shall be eligible to any elected or appointed office in this Chapter, except as otherwise provided in this Constitution and Bylaws.

ARTICLE 6 – TENURE OF OFFICERS

Section 6.1: The Commander shall appoint a Nomination Committee of at least three (3) members of the Chapter in the month of January. Said committee shall report to the membership at the February meeting of the Chapter and the names recommended by the committee shall be placed into nominations. Any member of the Chapter that wishes to run for an office shall submit a letter to the Committee on or before the February Chapter meeting. Nominations for Chapter offices shall remain open until the March meeting and nominations shall be made from the Committee, at which time nominations from the floor shall be accepted. Nominations shall be closed at the March Chapter meeting and elections of Chapter officers for the ensuing year will take place.

Section 6.2: Elected and appointed officers shall be installed within thirty (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 6.3: Unexcused absence of any officer from three (3) consecutive meetings shall be cause for removal by the Chapter, and the Commander is empowered to appoint a Chapter member to serve the unexpired term, subject to the approval of the Chapter.



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Section 6.4: In the event the office of 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 Paragraph 1 of this section.

Section 6.5: It shall require a majority vote of those Chapter members present and voting to elect a candidate for any Chapter office. It shall also require a majority of votes cast to elect delegates or alternates to a State or National Convention.

ARTICLE 7 – MEMBERSHIP

Section 7.1: No application for membership shall be denied by the Chapter if an applicant meets the eligibility requirements as set forth in the National Constitution and Bylaws. ~~If the Chapter feels the character of said applicant puts the Chapter or its members in an uncomfortable condition within the community, the Chapter shall have the right to reject the application of the applicant for character reason.~~ MED

Section 7.2: Only members of the Chapter in good standing are eligible to vote on any motion or at any election.

Section 7.3: Members of another Chapter may secure a transfer of membership to this Chapter only with the approval of the membership of this Chapter, with the final approval of the Chapter Commander.

ARTICLE 8 – FINANCES

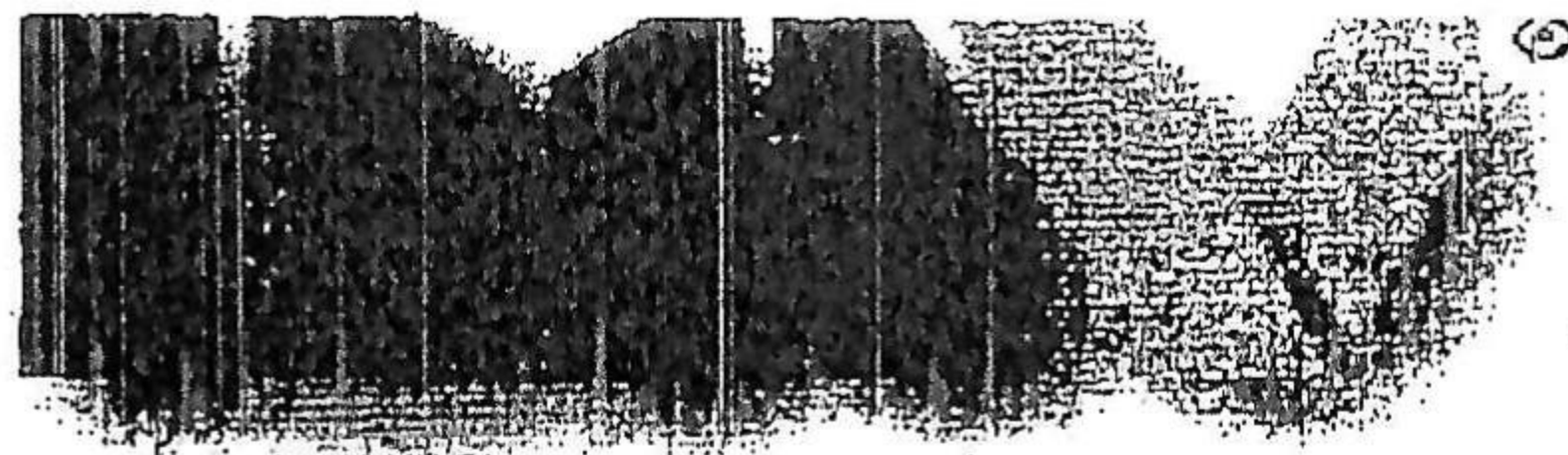
Section 8.1: The Treasurer or other designated officer shall deposit all monies in the name of the Chapter and shall countersign with the Commander or one other designated Chapter officer on all checks. There shall be no "pre-signed" Chapter checks for convenience purposes or otherwise. Signatures must be added only after the payee, date and amount sections of the check have been completed.

Section 8.2: The Treasurer or other designated Chapter officer shall be charged with handling normal finances in the operation of the Chapter.

Section 8.3: The Treasurer will be responsible for the creation and submission of an Annual Chapter Budget, no later than the August meeting with final approval by the membership.

Section 8.4: Membership dues shall be as provided in the National Bylaws.

ARTICLE 9 – MEETINGS



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Section 9.1: Regular Chapter meetings shall be on the second (2nd) Thursday of each month at 6 PM (1800) or as determined by a majority vote of the Chapter in Session.

Section 9.2: The Chapter should hold at least ten (10) regular meetings with a quorum present of three (3) officers and two (2) members within each calendar year.

Section 9.3: Special meetings of the Chapter may be called by the Commander whenever the Commander may deem it necessary, or when the Commander is requested in writing to do so by five (5) or more Chapter members.

Section 9.4: 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 three (3) must be elected Chapter officers.

Rule 2. *Robert's Rules of Order, Revised* shall govern the Chapter in all cases to which they are applicable and in which they are not inconsistent with this Constitution and Bylaws, the Department Constitution and Bylaws or the National Constitution and Bylaws.

Rule 3. Discussion of personal grievances will not be in order on the floor unless introduced by the Grievance Committee or other Committees having the authority to consider any such matters.

Rule 4. Matters concerning only an individual member, with respect to his or her own personal interest, shall not be in order but may be taken before the proper Committee.

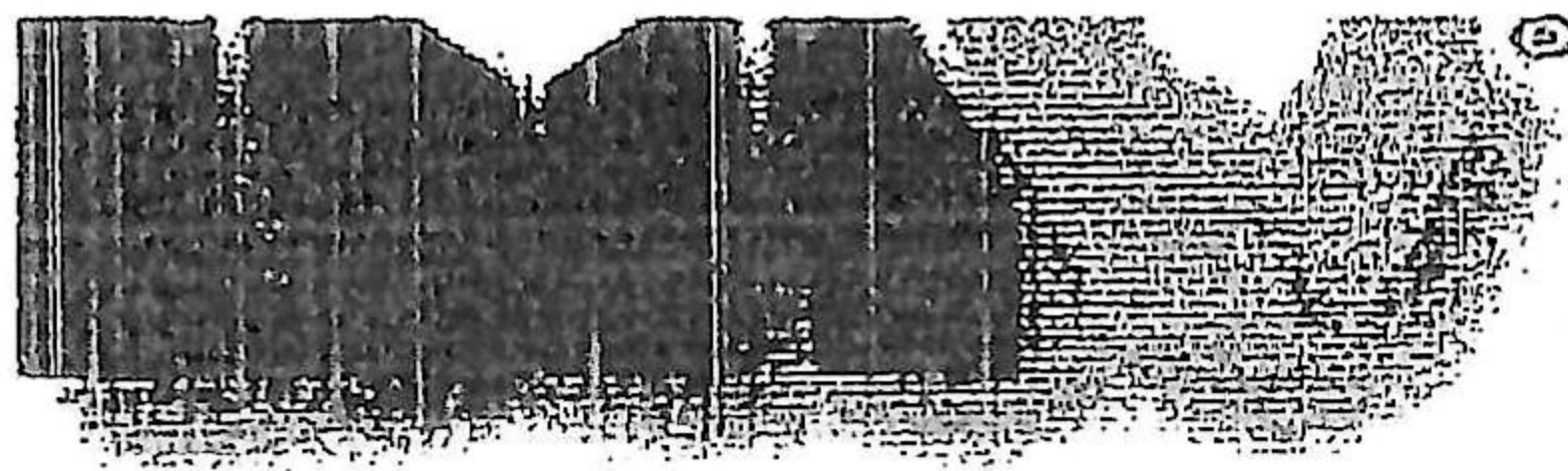
Rule 5. Voting shall be by voice unless otherwise requested by at least three (3) members.

ARTICLE 10 – COMMITTEES

Section 10.1: All Chapter Committees will meet at the call of the Chairperson or the Commander, or as otherwise provided in this Constitution and Bylaws.

Section 10.2: Committees shall consist of no fewer than three (3), and no more than seven (7) members (except as may otherwise be herein provided), including the chairperson. Committees shall be appointed by the Commander, with the approval of the Chapter membership, apart from the Nominating Committee which shall be elected by the Chapter.

Section 10.3: 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 Chairperson. The Audit Committee shall conduct an annual audit in accordance with the requirements of the National Bylaws.



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ARTICLE 11 – MISCELLANEOUS and AMENDMENTS

Section 11.1: These Bylaws 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 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 prior to each of the two (2) meetings. Notification shall be accomplished including, but not limited to, electronic means of communication such as email or the posting of such notification on the Chapter's Facebook Page (<http://www.facebook.com/Disabled-American-Veterans-Chapter-1-Baltimore-City>) and/or Chapter website (<http://www.davmembersportal.org/chapters/md/01>).

Section 11.2: 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 be available for reference at any meeting of the Chapter. Any member in good standing of this Chapter shall upon request to the Adjutant receive a copy of the Constitution and Bylaws for their personal records.

Section 11.3: To the extent to which any of the provisions of this Constitution and Bylaws are, or may at any time, become inconsistent or in conflict with the provisions of the Constitution and Bylaws and lawful mandates, decisions and regulations of either the National Organization or the Department of Maryland as now in force or hereinafter amended so as to conform thereto.

Official Signature of Approval by Chapter Officers/Appointees

Chapter Commander
Craig E. Barnes, Sr.

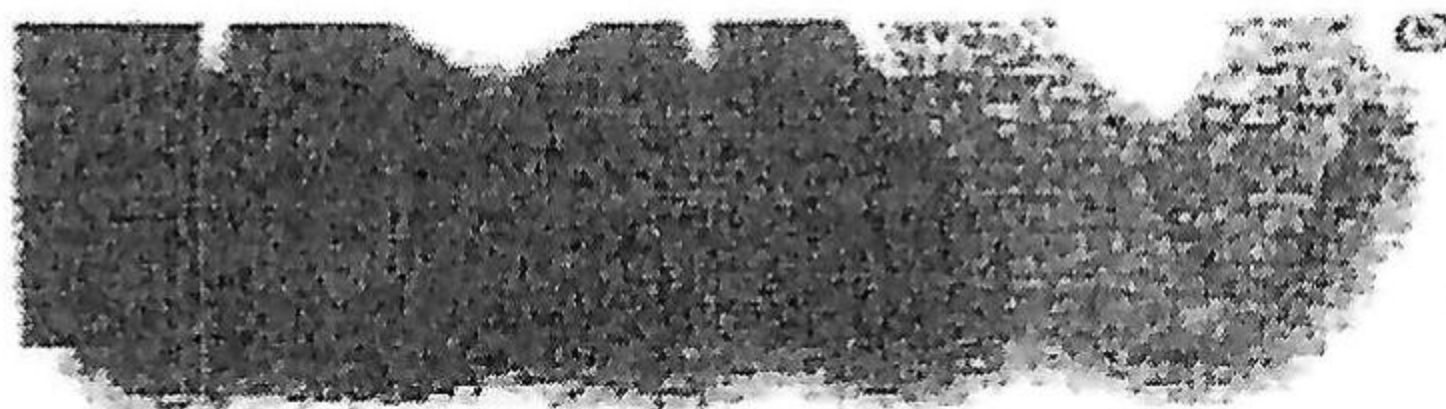
10/23/17
Date

Chapter Adjutant
Robert R. Cole

10/23/17
Date


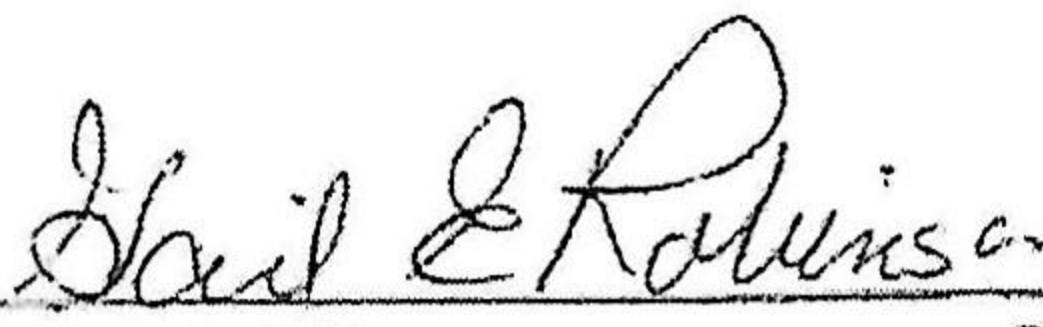
Chapter Treasurer
Katina Barnes

10/23/17
Date




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Official Signature of Approval by Department Officers

	<u>12-17-2017</u>		<u>12-18-2017</u>
Department Commander	Date	Department Adjutant	Date
Betty J. Brown		Gail E. Robinson	

I Certify that the written constitution and/or By-laws does not conflict with those of the Department of Maryland, and to that extent, is approved.

 12-5-17
Department Judge Advocate Date
Roosevelt Smith

~~I Certify that the written constitution and/or By-laws does not conflict with those of the National Organization and to that extent, is approved.~~

~~_____
DAV National Judge Advocate Date
Michael E. Dobmeier~~



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 subject to my letter of

Date: _____
DAV National Judge Advocate