

EBB
6-15-92

June 10, 1992

Mr. Kenneth O. Lewallen, Commander
Rockville Memorial Chapter #12
Disabled American Veterans
127 Water Street
Gaithersburg, MD 20877

Dear Mr. Lewallen:

The Constitution and Bylaws for Rockville Memorial Chapter #12,
Department of Maryland, is hereby approved as of this date.

A copy of this document is being forwarded to the Department of
Maryland 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 Maryland

RECEIVED JUN 15 1992

MODEL

CONSTITUTION AND BYLAWS OF CHAPTER # 12
Rockville, Maryland
(city) (state) (zip)

C O N S T I T U T I O N

ARTICLE I - NAME

The name of this Chapter shall be Rockville Memorial Chapter
12, Department of Maryland
DISABLED AMERICAN VETERANS.

ARTICLE II - PURPOSE

The purpose of this Chapter is to support the program of the Disabled
American Veterans as defined in the National Constitution and Bylaws.

ARTICLE III - MEMBERSHIP

Membership in this Chapter shall conform with the requirements as set
forth in the National Constitution and Bylaws.

ARTICLE IV - ADMINISTRATION

Section 1 - The administrative affairs of this Chapter shall be vested
in the Executive Committee in emergencies only and all other actions of
the Executive Committee must be ratified by a simple majority vote of the
Chapter.

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

Section 3 - At the time specified, the Chapter shall elect a Commander,
Senior Vice Commander, Junior Vice Commander, Treasurer and such other
officers as may be necessary to operate the Chapter.

ARTICLE V - EXL VE.

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

ARTICLE VI - AUXILIARY

This Chapter recognizes a women's Auxiliary, subject only 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 two-thirds majority vote of those present and voting, subject to approval of the Department and National Judge Advocate and effective only after date of this approval provided that amendment is read at two meetings and that all members were notified of the proposed change prior to each of the two meetings.

BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1 - Governing body of this Chapter shall be the Chapter in session, except as provided in the Constitution.

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

ARTICLE 2 - CHARTER

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

ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1 - The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer and all 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 Chairman and Lay Members may attend the Executive Committee meetings, but without the right to vote.

Section 4 - A majority of members 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 a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer and such other officers as may be necessary to operate the Chapter.

Paragraph 2 - The Commander shall appoint the 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.

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.

Paragraph 2 - The Senior Vice Commander shall be the Membership Chairman and as such is responsible for campaigns to increase membership.

Paragraph 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 meeting and records shall be open to any member when a request is made in writing through the Executive Committee. A copy of the financial report must be prepared and submitted to the Department Adjutant 30 days prior to the Department Convention. The original report will be sent to National Headquarters.

ARTICLE 5 - QUALIFICATIONS

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

ARTICLE 6 - TENURE OF OFFICE

Section 1 - Officers shall be nominated, elected and installed prior to May 1st of each year.

Section 2 - Elected and appointed officers shall be installed prior to May 1st each year. They shall serve for one (1) year or until newly elected or appointed officers have been installed.

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

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

Section 4 - It shall require a majority of votes to elect a candidate for any office. It shall also require a majority vote cast to elect delegates or alternates to a state or national convention. However, if there are less delegates and alternates than the number 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 - Annual and life members may secure a transfer of membership upon the approval of the receiving 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 on all checks.

Section 2 - The Treasurer or the other designated officer shall be charged with handling normal finances in the operation of the Chapter.

Section 3 - Annual dues in this Chapter shall be as the Chapter may direct, but every effort will be made to limit annual memberships and stress life membership.

ARTICLE 9 - MEETINGS

Section 1 - Chapter meetings shall be held at least once each month. Meeting dates to be set by majority vote of the Chapter in session.

Section 2 - Place and time of meetings shall be determined by the desires of the Chapter.

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

- RULE 1. A quorum shall consist of five (5) members in good standing.
- RULE 2. Robert's 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 out 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 viva voce unless otherwise requested by at least seven (7) members.

ARTICLE 10 - COMMITTEES

Section 1 - All committees will meet at the call of the chairman or Commander.

Section 2 - 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 approval of the Chapter.

Section 3 - The Chapter Commander shall be a member ex officio of all committees with the exception of the Nominating Committee which shall be elected by the Chapter.

ARTICLE 11 - MISCELLANEOUS

Section 1, Paragraph 1 - These Bylaws may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to approval of the Department and National Judge Advocate, and effective only after date of this approval provided this amendment is read at two meetings and that all members were notified of the proposed change prior to each of the two meetings.

Paragraph 2- 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.

Paragraph-3- To the extent 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 or National Departments, is now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.

Section 2- All disciplinary actions will be handled in accordance with Article 16 of the National By-Laws.

Section 3- By accepting any elective or appointive office a member agrees that his services shall be rendered gratuitously and that he shall not be entitled to reimbursement for any sums advanced, incurred or spent unless expressly authorized by the Chapter at a regular Chapter Meeting. No Chairman, committeeman, Chapter officer or other Chapter Member shall have the power or authority to incur any expense or obligation or bind the Chapter, unless by prior express approval of the Chapter, evidenced by a majority vote at a regular meeting. A member, by accepting any elective or appointive office, promises and agrees to perform the duties of such office or appointment to the best of his ability: to act and conduct himself in such manner, at all times and places, as will only affect the good of the Organization; to enforce and sustain this Constitution and By-Laws, and the Constitution and By-Laws of the National and Department organizations; and when his successor has been duly elected or appointed, to surrender to him without notice or demand all the records and other property of the Chapter or of the Organization in his possession or under his control.

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:

6/10/92 DAV National Judge Advocate

ATTEST: Matthew J. Kemmer

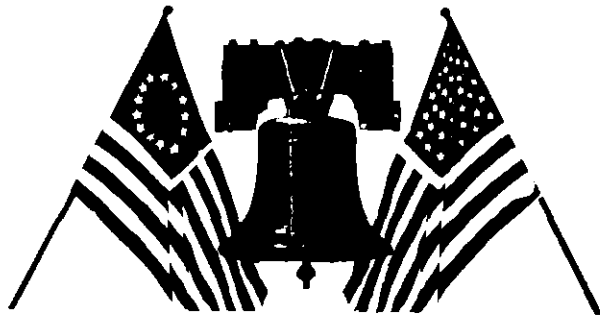
Adopted after this second and final reading 8th day of April, 1992.

Lee S. Hullett
ADJUTANT (CHAPTER)


Kenneth W. Swallen
COMMANDER (CHAPTER)

James M. Combs
DEPARTMENT JUDGE ADVOCATE

NATIONAL JUDGE ADVOCATE



Control
to
J.A.
Combs



Respect your Flag

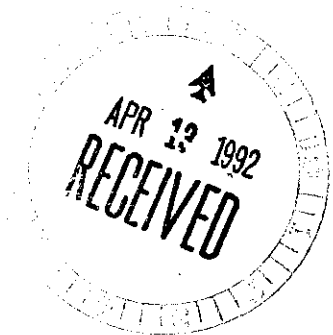
Disabled American Veterans

ROCKVILLE MEMORIAL
CHAPTER NO. 12

Control # 206

Kenneth O. Lewallen, Cmdr.
127 Water Street
Gaithersburg, Maryland 20877

Howard Simons
Department Commander
Disabled American Veterans
Department of Maryland, Inc.
101 Gay Street
War Memorial Building Room "B"
Baltimore, Maryland 21202



Dear Commander Simons,

Enclosed is the Constitution and By-Laws for Chapter #12, with one change in Article IX, rule #1, of the By-Laws.

Having complied with Article VII of the Constitution and voted on at a Chapter meeting, 8 April 1992. The Chapter wants to change Article IX rule # 1, to read five (5) Members instead of seven (7). The reason of change is to make sure we do not violate the By-Laws. At times in the past we have had only five (5) members present and need to conduct Chapter business, pay bills, vote on motions and most of all, not be in violation.

8April92

Sincerely,

Kenneth O. Lewallen
Kenneth O. Lewallen



DISABLED AMERICAN VETERANS
DEPARTMENT OF MARYLAND, INC.

April 15, 1992

Mr. James M. Combs
Dept. Judge Advocate
16006 Audubon Lane
Bowie, Md. 20716

Dear Mr. Combs,

Attached is the Constitution & By-Laws for Rockville Memorial Chapter #12 for your review.

Please return them to the Department Office as soon as possible so that we can forward them to National Headquarters for approval.

Sincerely,

A handwritten signature in cursive script that reads 'Edwin R. Brookman'. The signature is written in black ink and is positioned above the typed name and title.

Edwin R. Brookman
Administrator

ERB: rmm

cc; K. Lewallen, Cmdr. # 12