KEEPING OUR PROMISE TO AMERICA'S VETERANS

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August 24, 2023

Mr. Tony L. Chandler, Adjutant
Department of Maryland
Disabled American Veterans
101 N. Gay St., Rm B
Baltimore, MD 21202

EIN: 52-6055613

Dear Adjutant Chandler:

The Constitution and Bylaws for the Department of Maryland is hereby approved as of this date.

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

Sincerely,

Michael E. Dobmeier
National Judge Advocate

MED:cmb
Enclosure

FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

DISABLED AMERICAN VETERANS
DEPARTMENT OF MARYLAND

War Memorial Building, Room B, 101 North Gay Street, Baltimore, MD 21202

Constitution and Bylaws

Department of Maryland Convention

TABLE OF CONTENTS

Administrative and Executive (Article IV) 5
Amendments (Article V) 6
Authority and Allegiance (Article I) 4
Membership (Article III) 5
Preamble..... 4
Purpose (Article II) 4

Awards Committee (Article 9) 17
- Authorization (9.3) 18
- Awards, eligibility for (9.5) 18
- Awards, other (9.2) 18
- Citations, Commander's (9.4) 18
- Recipients, selection of (9.1) 17

Chapters (Article 4) 11
- Constitution and Bylaws, adoption (4.2) 11
- Constitution and Bylaws, effective date (4.3) 11
- Financial Reports (4.6) 12
- Formation (4.1) 11
- Fund Raisers, approval of (4.5) 11
- Officers (4.4) 11

Convention (Article 2) 7
- Appointed Officers and Assistants (2.10) 9
- Convention Committees (2.11) 9
- Delegates and Alternates (2.4) 8
- Delegates, Ineligible (2.8) 9
- Elected Officers (2.9) 9
- Indebtedness (2.7) 9
- Powers (2.1) 7
- Quorum (2.6) 8
- Registration Fee (2.3) 8
- Convention Time and Place (2.2) 7
- Vote Entitlement (2.5) 8

Department Officers, Terms and Duties (Article 5) 12
- Adjutant (5.9) 14
- Commander's Duties (5.4) 13
- Commander's Duties, Senior Vice (5.6) 13
- Commander's Duties, Junior Vice (5.7) 14
- Interim Committees and Commissions (5.5) 13
- Inspector (5.10) 14
- Judge Advocate (5.11) 14
- Judge Advocate, Opinion (5.12) 14
- Elected Officers Per Chapter (5.13) 14
- Removal from Office (5.3) 13
- Term of Office (5.1) 12
- Treasurer (5.8) 13
- Vacancies (5.2) 12

Executive Committee (Article 3) 9
- Appeals (3.8) 10
- Committee Members (3.1) 9

Committeemen and Alternates (3.4) 10
Expenses (3.3) 10
Meetings (3.5) 10
Office, term of (3.2) 10
Quorum (3.6) 10
Rules, Convention (3.7) 10
Finance Commission (Article 6) 15
Budget, Department (6.5) 16
Budget Year (6.5D) 16
Composition of Commission (6.1) 14
Expenditures (6.5A) 15
Meetings (6.4) 15
Operation (6.2) 15
Reserves (6.5B) 15
Authorization for Exceeding Budget Items (6.5C) 17
Responsibility (6.3) 15
Degree and Nature (6.6) 16
Hospital and Rehabilitation Commission (Article 8) 17
Composition (8.1) 17
Responsibilities (8.2) 17
Maryland Service Foundation (Article 7) 16
Department MSF Fund (7.5) 17
Dissolution (7.4) 17
Organization (7.1) 16
Prohibition (7.3) 17
Staffing (7.2) 16
Miscellaneous (Article 10) 18
Amendments (10.2) 18
Feminine Gender Inclusion (10.4) 18
Governing Rules (10.1) 18
Headings (10.3) 18
Organization (Article 1) 6
Basis for Affiliation (1) 6
Chapter Actions (1.4) 7
Governing Bodies (1.1) 6
Property, rights to (1.3) 7
Records (1.2) 7

DISABLED AMERICAN VETERANS
Department of Maryland, Inc.

CONSTITUTION

Preamble

For God and Nation, and for our commonweal, we former members of the armed forces of the United States having aided in maintaining the honor integrity, and supremacy of our country, holding in remembrance the sacrifices in common made and drawn together by strong bonds of respect and mutual suffering, solemnly and firmly associate ourselves together in creating the Disabled American Veterans, and purposes of which shall be supreme allegiance to the United States of America, fidelity to its Constitution and laws; to hold aloft the torch of true patriotism; strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military association; and to aid and assist worthy wartime disabled veterans, their widows, their orphans, and their dependents.

ARTICLE I
Authority and Allegiance

Section 1.

The National Organization chartered the Disabled American Veterans, Department of Maryland, Inc. on April 10th, 1945, per Article IV of the National Constitution.

Section 2.

The Disabled American Veterans, Department of Maryland, Inc., hereinafter referred to as the "Department," agrees to abide by the current National Constitution and Bylaws.

ARTICLE II - Purpose
American Veterans

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 for 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 Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interest of all wounded, gassed, injured and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, gassed, injured and disabled veterans; to serve our comrades, our communities and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

ARTICLE III
Membership

Any man or woman wounded, gassed, injured, or disabled in the line of duty during a time of war as substantiated by official medical records of the armed forces, by notation on discharge certificate or Adjutant General's office record, or by United States Department of Veterans Affairs records, while in the service of either the military or naval forces of the United States of America, and who has not been dishonorably discharged or separated from such service, or who may still be in active service in the armed forces of the United States of America is eligible. Others, who were disabled while serving with any of the armed forces of any nations associated with the United States as allies during any of its war periods, who are American citizens and who are honorably discharged, are also eligible for membership. The Disabled American Veteran shall not have an honorary member or any other class of membership except as allowed within the National Constitution.

ARTICLE IV
Powers and Administration

To have perpetual succession, with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes upon approval of the National Executive Committee; to adopt a corporate seal and alter the same at pleasure; to establish and maintain an office for the conduct of its business; to publish a newspaper or other publication devoted to the purposes of the corporation and generally to do all such acts and things as may be necessary and proper in carrying into effect the purposes of the DAV Department of Maryland, and the National Organization.

Section 2. Administration Powers

The administrative affairs of this Department shall be vested in the Department's Executive Committee. They will act with limited powers between conventions outlined in these constitutions and bylaws.

Section 3. Department Convention

The Department Bylaws will provide for an annual Department Convention with elected delegates and alternates, a Department Executive Committee, and shall elect a Department Commander, a Department Senior Vice Commander, four Department Junior Vice Commanders, Department Treasurer, Department Judge Advocate, and Department Chaplain.

Section 4. Succession

No person shall succeed themself as Department Commander.

Section 5. Department Executive Committee members

The Department Executive Committee shall comprise all elected and appointed officers of the Department, and three (3) delegates and three (3) Alternates representing each chapter within the Department. It will act with limited powers between the Department Conventions.

Section 6. Executive Powers

The executive powers of the Department are vested in the Department Commander as provided for in the bylaws of this organization.

ARTICLE V
Amendments

Section 1.

This Constitution may be amended at a Department Convention by a majority vote of the Delegates present and voting provided that a copy of any proposed amendment will have been submitted to the Department forty-five (45) days prior to the Convention, and by the Department to all Chapters of the Department at least thirty (30) days prior to the Convention.

Section 2.

No amendment(s) will become effective until approved in writing by the National Judge Advocate.

DISABLED AMERICAN VETERANS
Department of Maryland

Bylaws

ARTICLE 1
Organization

Section 1 Basis for affiliation with the National Organization

This Department 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 Constitution, Bylaws, and all rules, mandates, and regulations promulgated pursuant thereto. Upon dissolution of the Department, the Assets remaining after payment of its debts will be distributed as provided in Article 6, Section 6.4, Paragraphs 5 and 6 of the National Bylaws.

Section 1.1 Governing Bodies

The governing bodies within the Department will be the Department Convention, the Department Executive Committee, and the Three (3) Chapters Delegates of the Department.

Section 1.2 Records

Each body will keep records of its proceedings. The records will be open for inspection by written authorization of the Department Commander.

Section 1.3 Rights to property

No Department Officer, Chapter member, or members will acquire rights to any property, money, or things of value the Department may now have or hereafter acquire, except for rights and benefits arising from employment.

ARTICLE 2
Department Convention

Section 2.1 Powers

The Department Convention is the supreme ruling body, composed of the elected Department Officers, Past Department Commanders, and the delegates and alternates representing the chapters of the Department of Maryland, Inc. All legislative, administrative, and executive matters not specifically covered by the Constitution and Bylaws of this organization, or by any enactment of the Department Convention, will be determined by the Department Executive Committee (DEC). The DEC may also adopt regulations, policy statements, or orders to effectuate both the intent and the determination of these Bylaws. Mandates and resolutions adopted at each Department Convention will be effective only until the next Convention.

Section 2.2 Time and Place

(A) A Department Convention will be held each year between May 15th and June 30th, unless prohibited by a national emergency. The Department Adjutant will notify each Chapter of the time and place of the Convention, in writing, not less than thirty (30) days prior to the start of the Convention.

(B) At each Convention, the Time and Place Committee will provide its recommendations for the date and location of the Convention to be held three (3) years in advance. The convention will act on the recommendations before the close of the Convention. Chapters and/or locations wishing to host the Department Convention must submit their proposals to Department Headquarters at least forty-five (45) days prior to the Department Convention.

Section 2.3 Registration Fee

(A) The registration fees for the Department Convention will be $15.00 for each elected and appointed Department Officer, each Past Department Commander, each delegate, each alternate, and each guest or visitor in attendance.

(B) Each chapter within the Department will be accessed the following amounts to be deposited in the Department Convention Fund prior to June 1 of the current administrative year. Chapters failing to submit their Convention fees prior to June 30 of the current administrative year will be subjected to suspension by the Department Commander as prescribed by the National Constitution and Bylaws in Article 6, Section 6.4 – Suspension and Revocation of Chapters

1) $40.00 – Chapter membership of 250 members or less
2) $60.00 - Chapter membership of 251 to 500 members
3) $80.00 - Chapter membership of 501 to 1,000 members
4) $100.00 - Chapter membership of 1,000 members or greater

Section 2.4 Number of Delegates and Alternates

At each Department Convention, each Chapter in good standing will be entitled to one (1) delegate and one (1) alternate for each ten (10) members or portion thereof, as indicated on Department membership records as of the March 31st report of the Convention year. The Department Adjutant will advise each Chapter of the number of delegates and alternates to which it is entitled. Such delegates and alternates will be elected at the next Chapter meeting following notification by the Department Adjutant. Each Chapter will file with Department Headquarters the names of its delegates and alternates at least ten (10) days before the Convention begins.

Section 2.5 Vote Entitlement

(A) When properly registered as such, each elected Department Officer and each Past Department Commander will be entitled to one (1) vote.

(B) The vote of any delegate who may be absent will be cast by an alternate. Alternates will have all the privileges of delegates but may vote only when substituting for an absent delegate. If a Chapter cannot fill all

delegate or alternate offices to which it is entitled, or if any delegate is entitled to cast more votes than the number of delegates and alternates present, then the votes to which it is entitled will be divided equally among those present.

(C) No person will be registered or cast a vote in more than one (1) representative capacity.

Section 2.6 Convention Quorum

A quorum will exist at a Department Convention when a majority of the Chapters in good standing are represented by duly elected and registered delegates or alternates.

Section 2.7 Indebtedness

A Chapter will not be in good standing and its delegates may not be seated or vote at a Department Convention or DEC if the Chapter is indebted to the Department, has not filed its annual financial report, or is suspended by the National or Department Commander.

Section 2.8 Ineligible Delegates

Delegates from a Chapter designated as ineligible may be recognized for the limited purpose of appealing to the Convention regarding ineligibility under Section 2.7, above. Any action taken by the Convention will be final.

Section 2.9 Department Elections

The following officers will be elected at each Department Convention; Commander, Senior Vice Commander, First Junior Vice Commander, Second Junior Vice Commander, Third Junior Vice Commander, Fourth Junior Vice Commander, Treasurer, Judge Advocate, and Chaplain, two members to the Finance Commission as required in Section 6.1. No more than one-line officer from each chapter can be elected as a line officer while his/her chapter serves or is elected as the Commander, Senior Vice Commander, *or one of the* Junior Vice Commander(s).

Section 2.10 Appointed Officers

After the election, the newly elected and installed Department Commander will appoint an Adjutant, Officer of the Day, Sergeant at Arms, Historian, Department Inspector General, and other officers as he/she needs to operate the efficiency of the Department.

Section 2.11 Convention Committees

The Standing Committees of the Department Convention are as follows: Constitution and Bylaws, Distinguished Guests, Legislative and Veterans Rights, Nominating, Registration and Credentials, Resolutions, Time and Place, and any other Committees deemed necessary.

ARTICLE 3
Executive Committee

Section 3.1 Committee Members

The Executive Committee is the governing body of the Department between Conventions. This Committee will be composed of the newly elected Department Commander, all other elected Department Officers, all Past Department Commanders, and three (3) representatives and three (3) alternate representatives from each Chapter. Each Chapter will be entitled to three (3) votes unless five (5) Chapters request a roll call based on voting strength at the last Convention.

Section 3.2 Term of Office

The term of all Department Executive Committee members will begin immediately after the installation of the newly elected Department Officers at the Department Convention and end the following year with the installation of the newly elected Department Officers at the Department Convention. Chapters must be represented by chapter officers or delegates when a vote is taken.

Section 3.3 Expenses

Department Executive Committee persons will serve without expense to the Department except as approved by the Department Convention.

Section 3.4 Committee Persons and Alternates

Each Chapter will elect its Executive Committee persons and Alternates prior to the Department Convention. Chapters will provide the names and addresses of the persons elected to Department Headquarters thirty (30) days before the Department Convention convenes.

Section 3.5 Meetings

The Department Executive Committee will meet in the months of October, January, and April, and any other time the Department Commander deems a special meeting is necessary. The Commander will also call special meetings upon the written request of four chapters.

Section 3.6 Department Executive Committee Quorum

A quorum will exist at Department Executive Committee meetings when a simple majority of the Department's Chapters in good standing are recorded as present.

Section 3.7

The Department Executive Committee will adopt the Convention Rules at each April meeting and submit them to the Convention for ratification.

ARTICLE 4
Chapters

Section 4.1 Chapter Formation

Those eligible desiring to form a chapter will make an application to National Headquarters as provided in the National Bylaws.

Section 4.2 Adoption of Constitution and Bylaws

Each Chapter must adopt its own constitution, bylaws, and regulations, provided that such constitution, bylaws, and regulations do not conflict with those of the National Organization or those of the Department with which the chapter is affiliated.

Section 4.3 Effective Constitution and Bylaws

Chapter Constitution and Bylaws will not be effective until approved as set forth in Article 9 of the National Bylaws by the Department Judge Advocate and approved in writing by the National Judge Advocate.

Section 4.4 Chapter Officers

Each Chapter in the Department will elect or appoint and install their respective Chapter Officers before the last day of April each calendar year and notify Department Headquarters within ten (10) days after such election and installation. The names and addresses of the newly installed Officers together with names, titles, addresses, and telephone numbers of the Officer or Officers designated to receive mail. Each Chapter will notify the Department and National Headquarters within ten (10) days of any change in officers.

Section 4.5 Approval of Fund Raisers

Department By-laws should conform to Article 15, Section 15.3 as it relates to Chapter fundraisers.

(A) No solicitation of money or any in-kind services from within the Department Chapters without expressed approval by the Department Commander is permitted.

(B) Approved solicitations of money or in-kind services must be in the best interest of the Department and Chapters and for a specific purpose(s), such as service to veterans.

(C) Any such specific situation must be in compliance with the contents of Section 4.5.

Section 4.6 Financial Reports

(E) Each chapter will be responsible for completing an Annual Financial Report (AFR) to the Department Office within ninety (90) days *or* by September 30 after the close of the accounting/fiscal year ending June 30. The National Form 901308 (8/21 revised) with accompanying documents will be used and signed by the Three (3) members of the Audit *Committee* and the Treasurer, certifying the report's accuracy. The Department and chapters must adhere to Section 9.3 – Financial Records, Reports of the National Bylaws. Each

chapter shall be responsible for filing all appropriate IRS form 990, and Incorporated chapters will file the State of Maryland Form 1 documents by April 15 of each year.

ARTICLE 5
Department Officers' Terms and Duties

Section 5.1 Term of Office

The term of office of the Department Officers will be from the time of their installation until their successor has been elected/appointed and installed. No elected Department Commander(s) may succeed themselves in the following year after the term of office has been completed.

Section 5.2 Vacancies in Office

In the event of the death, resignation, inability to serve, or removal from office of a Vice Commander(s) or the succession of the Senior Commander for an unexpired term of a Commander as provided in these Bylaws, all subsequent Vice Commander(s) will advance in consecutive order to the next senior rank immediately. Vacancies in any elected office(s) occurring prior to April 1st will be filled by a majority vote of the Department Executive Committee. All Department Executive Committee members will be notified of the vacant Department Office(s) at least fifteen (15) days prior to the election. The Department Commander will appoint officers to fill vacancies occurring on April 1st and subsequent in the following offices: Treasurer, Chaplain, Judge Advocate, Officer of the Day, Sergeant at Arms, and Historian. Other vacancies in the office will remain unfilled.

Section 5.3 Removal from office

Elected Officers will be subject to removal from office by the Department Executive Committee for inefficiency, incapacity, or failure to perform the duties of their office in accordance with the provisions of Article 16 of the National Bylaws.

Section 5.4 Commander's Duties

The Department Commander will be the Chief Executive Officer of the Department and will perform duties as such, consistent with these Bylaws and with the National Constitution and Bylaws. The Department Commander will preside over the Department Convention and all meetings of the Department Executive Committee. The Department Commander will perform other duties as may be incident to his/her office or as may be directed by the Department Convention, the Department Executive Committee, or the National Organization. The Department Commander will be a voting member of the Finance Commission during his/her term of office. A ruling by the Department Commander or other presiding officer on points of order is final and binding on the body unless, upon appeal, the body does not sustain the position of the chair. The decision by the body will then be binding and final.

Section 5.5 Interim Committees and Commissions

The Department Commander will appoint the following standing committees: Americanism, Awards, Constitution and Bylaws, Convention, Time and Place, Forget-Me-Not, Legislative, Membership, Public Relations, Joint Veterans Committee Representatives, and such other committees as may be directed or as

deemed necessary. The Department Commander will be a voting ex-officio member of all committees and commissions except the Nominating Committee. The Department Commander will fill vacancies on the Hospital and Rehabilitation Commission according to Article 8 of these Bylaws.

Section 5.6 Senior Vice Commander

The Department Senior Vice Commander's duties will include those as assigned by the Department Commander and in the event of the death, resignation, removal, or incapacitation of the Department Commander, s/he will assume, as soon as possible, the position and duties of Department Commander, with the authority to perform as Commander until the election of a Department Commander at the next Department Convention.

Section 5.7 Vice Commanders

The Department Commander will authorize a position task list with specific duty assignments for each vice Commander. The Department Commander will evaluate the Vice Commanders in terms of their assigned duties. Department Vice Commander (s) will regularly visit Chapters of the Department. They will be the personal representatives of the Department Commander and render assistance for the efficiency and coordination of the work of the Department and its Chapters.

Section 5.8 Treasurer

The Department Treasurer is the Department's Chief Financial Officer and will perform the duties set forth in the Department of Maryland Accounting Policies and Procedural Manual position description as approved by the Department Executive Committee and file at Department Headquarters. In the event the Office of Department Treasurer becomes vacant, the Department Commander will appoint a Treasurer until a new Department Treasurer is elected by the Department Executive Committee. The Department Treasurer is a voting member of the Finance Commission during the term of office.

Section 5.9 Adjutant

The Department Adjutant is the Department's Chief Operations Officer and will perform duties as assigned by the Department Commander or as provided for by these bylaws. The Adjutant serves as a non-voting member of the Department Finance Commission, serving as the recording secretary.

The Adjutant or his/her designee will maintain a department calendar at the beginning of each year. The Adjutant shall solicit from each chapter (s), Department Auxiliaries, all Department Committees, Commissions, and Maryland Service Foundation to establish a department calendar of events. All organizations shall provide actual or prospective information by the first Department Executive Committee meeting. The intended purpose is to eliminate double booking on dates that have been committed in advance.

Section 5.10 Inspector

The Department Inspector will, under the supervision and direction of the Department Commander, investigate any alleged violation of Chapter, Department, or National Constitution and Bylaws, including but not limited to occurrences that may impugn the integrity or reputation of the organization. At the direction of the Department

The Department Inspector will, under the supervision and direction of the Department Commander, investigate any alleged violation of Chapter, Department, or National Constitution and Bylaws, including but not limited to occurrences that may impugn the integrity or reputation of the organization. At the direction of the Department Commander, the Department Inspector will inspect and/or audit the books, records, and accounts of a Chapter. Upon the completion of an investigation, inspection, or audit, the Department Inspector will render a written report of findings and recommendations to the Department Commander.

Section 5.11 Judge Advocate

The Department Judge Advocate shall "review and sign" the adopted changes of the department or any Chapter's Bylaws and forward them for the final consideration of the National Judge Advocate in accordance with Article 9 of the National Bylaws all proposed Department and Chapter Constitution and Bylaws/Amendments within 30 days of receipt. Furthermore, the Department Judge Advocate may not make any changes, regardless of whether it meets with the approval of the Department Commander and/or Department Adjutant.

Section 5.12 Opinion

Upon request of the Department Commander or presiding officer, the Department Judge Advocate will render an advisory opinion upon all existing and proposed parts of the National and/or Department Constitution and Bylaws and upon all questions of parliamentary procedure.

Section 5.13 Elected Officers Per Chapter

Each chapter is limited to one elected line officer serving at the Department level. At the discretion of the Department Commander, no restriction will apply to appointing officers.

ARTICLE 6
Finance Commission

Section 6.1 Composition

All revenue and expenditures of the Department will be under the direct supervision of the Department's Finance Commission composed of the Department Commander, Senior Vice Commander, Treasurer, Adjutant (non-voting by virtue of position), and six (6) other members of the Department. At each Department Convention, two (2) members will be elected for a three (3) year term to replace those members whose term has expired. A majority vote of the Convention delegates present, and voting will be necessary to elect a member of this Commission. Vacancies for any unexpired term will be filled by the Department Executive Committee at the first meeting held after the vacancy has been created. No elected officer other than specified above or Adjutant by virtue of the position of the Department will be a member of the Finance Commission.

No elected or appointed members serving concurrently on the Department Finance Commission (DFC) and the Maryland Service Foundation (MSF) will serve concurrently as Chair (DFC) or President (MSF) and/or Recorder (DFC) or Treasurer (MSF).

Section 6.2 Operation of Department Finance Commission

The members of the Department Finance Commission will elect a chairperson and Vice Chairperson at the first meeting held after the Annual Department Convention. The Department of Finance Commission will operate under the rules, regulations, and authority established in the Constitution and Bylaws of the Department of Maryland.

Section 6.3 Responsibility

It is the responsibility of the Department Finance Commission to assure that all revenues and audits for all Department accounts are accomplished and assure that the proper bonds are enforced on all who are entrusted with the handling of Department funds and revenue. The Department Commander and the Chair of the Finance Commission are responsible for identifying all who are entrusted with handling funds and property for bonding and the time period. It is the responsibility of the Commission to ensure bond premiums are enforced and that the finances of the Department are always handled to secure an economic and business-like administration of its financial affairs.

Section 6.4 Meetings

The Department Finance Commission will conduct at least three (3) joint meetings with the Maryland Service Foundation during the business year. The purpose of these meetings is to discuss and determine fund request(s) and distribution for service projects for the Department. These meetings will be conducted prior to the Department's scheduled Executive Committee (DEC) meetings. If it is deemed necessary, additional meetings may be called either by the Finance Commission or the Service Foundation to complete the task.

Section 6.5 Expenditures (A)

The convention will not adopt a budget that provides for expenditures above the projected resources for the new fiscal year as determined by the Department Finance Commission, nor will the Commission approve any expenditures not included in the budget per line item except by two-thirds (2/3) vote of the delegates registered and voting.

Section 6.5 (B) Reserves - add to the second paragraph.

The Department Executive Committee may, by two-thirds (2/3) vote of its members present and voting, authorize up to Twenty-five (25) percent for emergency distribution from the Department contingency fund.

Section 6.6 Degree and Nature

The Department of Finance Commission will determine the degree and nature of surety bond coverage for the appropriate positions and expenses.

ARTICLE 7
Maryland Service Foundation

Section 7.1 Organization

The Department of Maryland recognizes the Maryland Service Foundation as a subordinate unit within the structure of the Department, and the Maryland Service Foundation is to be formed under the Annotated Code of Maryland and the Internal Revenue Code, Section 501 (C) 19, as may be amended. As a subordinate unit of the Department of Maryland, the Maryland Service Foundation bylaws will not conflict with the Department's bylaws. Any changes to be made in its Charter and Bylaws must be approved by the Department of Maryland Convention and the National Judge Advocate prior to submission for approval to the Maryland Department of Assessment and Taxation

Section 7.2 Staffing

The President/Chair of the Foundation will be elected by the Convention for a three (3) year term. After the term is completed, a new President/Chair will be elected by the Conventions. This language violates the Maryland Service Foundation approved bylaws the National Judge Advocate and the 2009 Department Convention, since the foundation is a separate, but subordinate organization, their approved bylaws must be adhered to, for electing their leadership.

There will be 13 trustees of the Foundation who will exercise their fiduciary responsibilities under the provisions of the Annotated Code of MD as follows:

(A) Two trustees will be the current Department Commander and the immediate Past Commander.

(B) The Board of Trustees will elect two members at large: One selected for their financial knowledge and experience, and the other selected for their knowledge and experience in public affairs.

(C) The Board of Trustees will elect nine members from a slate of DAV members nominated by the Department Convention or, if necessary, by a Department Executive Committee. The Board may elect these nominees to staggered terms of one, two, or three years in order to maintain continuity. The Department Adjutant will serve as a non-voting member.

Section 7.3 Prohibition

No elected member of the Department Finance Commission may serve as a Trustee of the Foundation.

Section 7.4 Dissolution

Upon dissolution of the Foundation, the assets remaining after the payment of their debts shall be distributed to the Department of Maryland. The Committee may select the recipients of all other Department Awards.

Section 7.5 Department MSF Fund

The Foundation will include identified contributions from the Department of Maryland for services to be invested on their behalf in a separately reported account. The DFC will establish procedures for the priority distribution of service projects of the Department. The Foundation President/Chair or Treasurer will issue the requested disbursement upon receipt in writing of the requested disbursement by the Department. The assets of the Maryland Service Foundation are considered assets of the Department and must be reported as such in the Department's Annual Financial Report. Fundraising initiatives of the Foundation are also governed by Article 15 of the National Bylaws and the funds of the Foundation are also subject to the provisions of Article 18, Section 18.2 of the National Bylaws.

ARTICLE 8
Hospital and Rehabilitation Commission

Section 8.1 Composition

The Hospital and Rehabilitation Commission will consist of one (1) Commissioner for each Department supported facility. Commissioners will serve three (3) year terms. The Department Commander will fill vacancies in the Commission and replace members whose terms have expired. The Commission will elect one of its members to be Chairman.

Section 8.2 Responsibilities

The Hospital and Rehabilitation Commission will coordinate and supervise the expenditures of allocated funds and direct the operation of the Hospital and Rehabilitation Program of the Department. Quarterly reports will be given at each Department Executive Committee meeting and Department Convention.

ARTICLE 9
Department Awards Committee

Section 9.1 Selection of Recipients

The Department Awards Committee will select the recipients for the six major awards. These awards will be memorial in nature and will be named for a period not to exceed 10 years. Nominations will be submitted to the committee not less than 45 days before the next Convention. No incumbent DAV or DAVA Department Commander is eligible for these awards. The committee's responsibilities include:

(A) Naming each of the six awards in honor of an outstanding individual in inspirational memorialization.

(B) Establishing the duration in years that each award will be continued under the designated name.

(C) Establishing the criteria for each award.
(D) Reviewing and evaluating nominations for awards
(E) Selecting the recipient for each award.

Section 9.2 Other Awards

Section 9.3 Committee Authorization

Subject to the approval of the Department Executive Committee, the Committee may originate, name, or delete all other awards.

Section 9.4 Commander's Citation

The Committee will have no jurisdiction over the Department Commander's Citation.

Section 9.5 Eligibility for Awards

No member of the Awards Committee will be eligible for Department awards authorized by the Committee.

ARTICLE 10
Miscellaneous

Section 10.1 Governing Rules

All matters of procedure not otherwise provided for in these Bylaws or in the Rules of the Convention will be governed by Robert's Rules of Order, Newly Revised.

Section 10.2 Amendments

These Bylaws may be amended at a Department Convention by a majority vote of Delegates present and voting provided that a copy of any proposed amendment(s) will have been submitted to the Department Headquarters forty-five (45) days prior to the Convention, and by the Department to all its Chapters at least thirty (30) days prior to the Department Convention. No amendment will become effective until approved in writing by the National Judge Advocate.

Section 10.3 Headings

The headings to any part of these Bylaws will have no effect upon the construction or interpretation of any such part.

Section 10.4 Feminine Gender Inclusion

The masculine usage, whenever used in the Department Constitution and Bylaws, or in the position description on file in Department Headquarters, will include the feminine gender.

Section 10.5 Allegiance to National

"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 the National Organization, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended as to conform thereto."

Official:

Mattie Whitfield
Department Commander

Tony L. Chandler
Department Adjutant

John B. Patterson
Department Judge Advocate

DATE: Aug 17, 2023

I CERTIFY that the constitution. and/or by-laws do not conflict with those of the National Organization, and to that extent, are approved.

DATE: 8/24/23

Michael E. Dobmeier
DAV National Judge Advocate