



National Headquarters  
860 Dolwick Drive  
Erlanger, KY 41018  
tel 859-441-7300  
toll free 877-426-2838  
dav.org

May 20, 2022

Mr. Scott C. Burdick, 1<sup>st</sup> Jr. Vice Commander  
Star Chapter #24  
Disabled American Veterans  
P.O. Box 1911  
Sun City, AZ 85372

EIN: 23-7352802

Dear Mr. Burdick:

The Constitution and Bylaws for Star Chapter #24, Department of Arizona, is hereby approved as of this date.

A copy of this document is being returned to Star Chapter #24 along with a copy to the Department. A copy is also being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

A handwritten signature in cursive script that reads "Michael E. Dobmeier".

Michael E. Dobmeier  
National Judge Advocate

MED:kgb  
Enclosure

c: Department of Arizona

DISABLED AMERICAN VETERANS

CONSTITUTION  
AND  
BYLAWS

P.O. BOX 1911

SUN CITY, ARIZONA 85372-1911

As Amended  
At the General Membership Meeting  
16 February 2021

Approved by DAV National Judge Advocate

CONSTITUTION

ARTICLE I - NAME:

The name of this Chapter shall be STAR CHAPTER# 24, DISABLED AMERICAN VETERANS (DAV).

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, Chaplain, Department Executive Committeeman, and Alternate.

## ARTICLE V - EXECUTIVE

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

## ARTICLE VI-AUXILIARY

This Chapter recognizes an 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 three-fourths 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 any such amendment is read at two (2) meetings and that all members were notified of the proposed change prior to each of the two (2) meetings.

## BYLAWS

### ARTICLE I - 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.
- Section 3: 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 Constitution, Bylaws and all rules, mandates and regulations 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.

## 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 meeting.

## ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, Department Committeeman an & Alternate.

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 members shall constitute a quorum.

Section 5: The Executive Committee shall recommend courses of action to the Chapter Membership at the General meeting.

Section 6: A petty cash allowance will be allowed in an amount set by the general membership for those elected officials as deemed necessary for the purpose of conducting the business of the DAV. Proper receipts must be provided to the Treasurer.

Section 7: The Committee shall also act as a Resolution Committee, and no resolution shall be adopted by the Chapter unless first submitted to the Executive Committee for its recommendations, except by a three-fourths affirmative Chapter vote.

In the event this committee fails to make recommendations upon any matter referred to it within a reasonable time, the Chapter, by majority vote, may act upon such matter without receiving the recommendations of the committee.

Section 8: The minutes of each meeting of the Executive Committee shall be read at the next following regular Chapter meeting by the Adjutant. The approval of the minutes by the Chapter shall constitute an approval of the recommendations and actions taken by the Executive Committee as reported in such minutes. When the minutes are read, any Chapter member may request that any part thereof be discussed or voted upon separately. The Executive committee shall hold one regular meeting each month, the time and place set by the Commander. Special meetings, upon the call of the Commander or any three (3) members who request the same in writing. Notice of the time and place of each special meeting shall be given in writing to each member of the Committee not less than forty-eight (48) hours prior to the holding thereof except with the unanimous consent of all members of the Committee. A majority of the members of the

Committee shall be a quorum.

One of the purposes for the creation and continuance of the Executive Committee shall be to provide a means for the discussion of routine and other business affairs of the Chapter and to make recommendations of the desired action. This will serve to reduce the time which might otherwise be consumed during Chapter meetings in such discussion, streamlining Chapter meetings to provide for earlier adjournment and time for entertainment and social activities. However, the sole power to approve or disapprove such recommendations, or to act, in whole or in part, contrary thereto, shall remain in the hands of the Chapter.

#### ARTICLE 4 - OFFICERS

Section 1: The Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Department Executive Committeeman, and Alternate. The appointive officers of this Chapter shall consist of a Treasurer, Chaplin, Adjutant, Historian, Service Officer, Judge Advocate, Sergeant-at-Arms, Officer-of-the-Day, and two (2) Color Guards, who shall be appointed by the Commander with the approval of the Chapter.

Para. 1: The Commander, or in their absence the next highest officer, shall preside at all regular or special meetings of the Chapter. They shall maintain order and dispatch such business as may legally come before They. All Commander or their designated representative. They shall perform all other duties that may reasonably be assumed to be incidental to their office, including those set forth in this Constitution and Bylaws and in the Official DAV Ritual, and such other duties as may be lawfully delegated to They by the Chapter members. 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: 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. The Senior Vice Commander, Junior Vice Commander, Chaplain, in the order named, shall perform the duties of the Commander in the event of his absence.

Para. 1: The Senior Vice Commander shall perform the duties of their station as set forth in the Official DAV Ritual. They will encourage friendship among the members of this Organization, discourage discord, and promote harmony. Subject to the direction of the Chapter, they shall act as Chairman of Fundraising. The Senior Vice Commander may appoint one or more members to assist them in such activities.

Para. 2: The Junior Vice Commander shall perform the duties of their station as set forth in the Official DAV Ritual. They shall see that every member is given a reasonable opportunity to state their views on any subject under discussion in a meeting of the Chapter, not inconsistent with this Constitution and Bylaws or

Robert's Rules of Order. They shall, at all times, encourage loyalty to the United States of America, to the DAV, and to the members of the Chapter. Subject to the direction of

the Chapter. They shall act as Chairman of Membership solicitation activities to the end that every eligible veteran may become a member with the approval of the Chapter and with the approval of the Chapter, may appoint one or more members to assist.

- Para. 3: The Treasurer shall keep an accurate record of all monies received and disbursed and shall deposit any monies received as soon as possible. They shall make authorized disbursements only by checks or vouchers or debit cards signed by them and countersigned by the Commander or authorized representative. They shall keep a system of accounts approved by the Chapter and shall preserve all receipts and checks or vouchers for payments made. They 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. 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.
- Para. 4: The Adjutant is responsible for keeping the Chapter's records and conducting the Chapter's official correspondence. They must keep detailed records of the Chapter's meetings and business affairs. All Motions considered by the Chapter should be recorded along with the Names of the members who make, second, or speak on the motions. The Adjutant is responsible for the membership records and should make certain that are kept up to date. The Adjutant must work closely with the Commander, Treasurer, and other Chapter officers in order to efficiently carry out their duties.
- Para. 5: The Chaplain shall perform the duties of their station as set forth in the Official DAV Ritual. They shall visit the sick and comfort the families of those members who pass proper conduct thereof. Subject to the direction of the Chapter, they act as Hospital Visitation Chairman and, with the approval of the Chapter, may appoint one or more members to assist.
- Para. 6: The Historian shall keep a brief history of the activities of the Chapter during their term of office, to be kept as a permanent record of the Chapter. They shall also act as Publicity Officer of the Chapter and regularly furnish proper publicity materials to local newspapers, radio stations and television outlets, as well as official DAV National and Department Publications, with the approval of the Commander. No other member shall cause any publicity to be given on any Chapter activity or concerning the Chapter without the approval of the Chapter.
- Para. 7: The primary function of the Service Officer is to advise, instruct and counsel claimants and to provide assistance in the preparation of claims for various benefits to which claimants may be entitled. When an inquiry is taken or after an appropriate form is properly completed, such information is then forwarded to the National Service Office having jurisdiction.
- Para. 8: The Judge Advocate, upon the request of the Commander of the Chapter, shall render an opinion upon all parliamentary questions, upon any questions arising out of any dispute upon the floor of the assembly, or concerning the interpretation of this Constitution and Bylaws, or the Constitution or Bylaws of the National or Department Organizations. Upon receipt of their opinion, the Commander (or presiding officer, if the Commander is not in the chair) shall announce their

ruling or decision, which need not be in accordance with the opinion of the Judge Advocate. Such decision shall be final and binding upon the Chapter unless (1) overruled by a two-thirds vote of the members at the meeting during which the decision is announced, or (2) reversed upon an appeal taken to the next higher governing body within thirty (30) days after such decision is made known.

Para. 9: The Officer-of-the Day shall perform the duties of their office as set forth in the Official DAV Ritual. They shall welcome all visitors and see that each is properly introduced.

Para. 10: The Sergeant-at-Arms and the Color Guards shall perform the duties of their respective offices as set forth in the Official DAV Ritual.

Para. 11: In addition to the foregoing, the respective Chapter officers shall faithfully perform and carry out such other duties as may be properly assigned to them from time to time by the Chapter. A member can hold only one elective Chapter office at any one time. A delegate to a National or Department Convention is not an "elective office" within the meaning of this Section, except as otherwise provided herein; an elected officer may also hold an appointive office, and vice versa.

Para. 12: The Department Committeemen or Alternate will report to the membership any actions taken on behalf of the Chapter, at any D.E.C. meeting or when requested to cast a vote by writ through the mail. The Department

Committeemen should notify the Commander or Sr Vice Commander as soon as possible upon receipt of a written request for ballot vote from the department.

The office of the Adjutant and Treasurer may not be held by the same person. The Service Officer may hold any other elective or appointive office. Neither the Commander nor the Vice Commanders shall hold the office of Adjutant.

By accepting any elective or appointive office, a member agrees that their service shall be rendered gratuitously, and they 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 their ability; to act and conduct themselves in such a manner, at all times and places, as will only affect the good of the Organization; to enforce and sustain this Constitution and Bylaws, and the Constitution and Bylaws of the National and Department Organizations; and when their successor has been duly elected or appointed, to surrender without notice or demand all the records and other property of the Chapter or of the Organization in their control.

## 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 - NOMINATIONS AND ELECTIONS

Section 1: Officers shall be nominated during the March meeting and again immediately prior to the April election meeting.

All nominations must be submitted to Nomination Committee 30 days prior to elections. Nominations and election of office shall be made in the order of the officers mentioned in the paragraph titled "Officers and their Duties". All voting for officers shall be by written ballot, except by unanimous consent. A majority of votes cast will be required to elect a candidate for Chapter Officer. A majority vote will be required to elect a State or National Convention delegate, or Alternate. See under Officers Section 2 para. 13.

Section 2: Elected and appointed officers shall be installed prior to July 1 of each year, and shall serve for ( 1 ) year or until newly elected or appointed officers have been installed.

Section 3: Officer Vacancies

Para. 1:

In the event the office of 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. Unexcused absence of any officer from three (3) consecutive meetings shall be cause for removal.

Para. 2:

Commander is empowered to appoint a member to serve the unexpired term, with the approval of the Chapter.

## ARTICLE 7 - MEMBERSHIP

Section 1:

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

Section 2:

No applicant shall be denied Chapter membership if they meet the eligibility requirement as set forth in the National Constitution and Bylaws.



## 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 authorized representative.
- Section 2: The Treasurer or other designated officer shall be charged with handling normal finances in the operation of the Chapter.
- Section 3: The fiscal year shall be 1 July through 30 June.
- Section 4: A Discretionary fund shall be made available for the Commander. The commander will be reimbursed up to \$500 for expenses to attend special functions to promote membership and understanding of the DAV. Proper receipts must be provided to the Treasurer.
- Section 5. A Service Fund shall be available to assist veterans with Commander and Service Officer approval. All expenditures from the Service fund to help deserving veterans and must be approved by the Commander and Treasurer.
- Section 6 Travel Expense
- Chapter Officers whose duties require their attendance at official meetings of the State Organization or in the conduct of official business of the Organization, as may be approved by the chapter.

## ARTICLE 9 – MEETINGS

- Section 1:  
Chapter meetings shall be held at least each month. Meeting Dates are 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 ( 5 ) members in good standing.
- Rule 2: Robert's Rules of Order, Revised, will govern in absence of specific rules in our bylaws 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 an individual only with respect to their own personal interest, shall not be in order, but may be taken before the proper committee.

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

Para 1:

Special meetings may be called by the Commander whenever they may deem it necessary, or when requested in writing to do so by (5) or more members in good standing in the Chapter. The call of any such special meeting shall specifically state the purpose for which it is called. No other business, not specified in the call, shall be transacted at the special meeting.

#### ARTICLES 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 (3) nor more than seven (7) 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 non-voting member of all committees with the exception of the Nominating Committee which shall be elected by the Chapter.

#### ARTICLE 11 - RESTRICTIONS AND MISCELLANEOUS

Section 1:

Para. 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 that any such amendment is read at two (2) meetings and that all members were notified of the proposed change prior to each of the two (2) meetings.

Para 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 always be available for reference.

Para 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 the National Organization as 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 Bylaws.

Para 1: The Chapter may direct that notice be sent to any elected or appointive officer

who has failed to attend three (3) consecutive meetings of the Chapter or who, in the opinion of the Chapter, does not appear to be fulfilling the duties of their office, stating that at the next regular meeting (giving the time and place), the matter of their recall from office will be considered. At the meeting set such officer recalled. If an elective officer, their office shall be filled by nomination and election at the same meeting. If an appointive officer, the Commander shall appoint another member to fill such vacancy with the approval of the Chapter. The rules contained in Robert's Rules of Order, shall govern the Chapter in all cases to which are applicable, and in which are not inconsistent with this Constitution and Bylaws, the National Constitution or the National Bylaws.

- Para 2: The order of business at any regular meeting shall be as prescribed in the Official DAV Ritual and as dictated by the needs of the Chapter.
- Para: 3 There shall be no voting by proxy. Only members in good standing and present shall be entitled to vote on any question. The presiding officer shall be entitled to vote only in case of a tie or where the voting is by written ballot.
- Para 4: Each member accepting or retaining membership in the Chapter agrees to be bound by this Constitution and Bylaws and the DAV National and Department Constitution and Bylaws, now in force or hereafter adopted or amended.
- Para 5: All disciplinary actions taken or commenced against members or officers shall be in accordance with Article 16 of the National Bylaws. Except as otherwise expressly provided in the National Bylaws, the Chapter shall not sponsor or engage in, directly or indirectly, any fund-raising or finance project without the prior approval of its state Department.
- Para 6: The officer(s) having custody of the funds of the Chapter shall at all times be bonded through the individual Chapter.
- Para. 7. All fund-raising activities will be conducted in accordance with Article 15 of the National Bylaws and the Regulations of the National Executive Committee. Chapters, auxiliaries shall not sponsor or conduct a lottery in the name of or using any part of the name of this Organization, except where-authorized by law. The name of this Chapter or of the Disabled American Veterans must not be used in connection with any political, sectarian or labor dispute, nor in any matter not directly relating to wartime service-disabled veterans. Nor shall the Chapter enter into or engage in such activities. However, nothing in this paragraph shall prohibit the Chapter from participating in political issues which have a direct bearing upon the welfare of America's Disabled Veterans.

## ARTICLE 12 – SEXUAL HARRASSMENT

Section 1: SEE NATIONAL DIRECTIVE ATTACHMENT

Adopted after this SECOND and Final Reading: May 26, 2021

Larry Radish,  
Commander,  
STAR Chapter 24

Larry Radish 01/25/2022

Violetmary Fountain, Adjutant

Violetmary W. Fountain 01/25/2022

**DEPARTMENT ENDORSEMENT :**

These Constitution and Bylaws for Chapter 24, Sun City, Arizona does not conflict with those of the State Organization and to that extent, is approved.

[Signature]  
Commander, State of AZ,

[Signature]  
Adjutant, State of AZ

Alan S. Al  
Judge Advocate, State of AZ

**NATIONAL ENDORSEMENT:**

Michael E. Dolan

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: 5-20-22  
DAV National Judge Advocate