



FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

National Headquarters
3725 Alexandria Pike
Cold Spring, KY 41076
Phone (859) 441-7300
Fax (859) 441-1416
Toll Free (877) 426-2838
www.dav.org

November 26, 2012

Ms. Catherine LaValle, Commander
Port St. Lucie Chapter #113
Disabled American Veterans
567 SE Brookside Terrace
Port St. Lucie, FL 34983

Dear Commander LaValle:

The Constitution and Bylaws for Port St. Lucie Chapter #113, Department of Florida, is hereby approved as of this date, with the following change.

In accordance with *Article 14, Section 14.9 of the National Bylaws*, all DAV assets must be safeguarded from theft or conversion utilizing sound financial management practices, to include, but not limited to, requiring two signatures on checks issued by the chapter. As such, please include the following as the second sentence of *Article 8, Section 3 of the Chapter's Bylaws*: "All expenditures of the chapter shall be satisfied by way of a check issued by the chapter. All checks shall require at least two (2) signatures. Signatories on the Chapter's financial accounts will include the Chapter Commander, Sr. Vice Commander and Treasurer."

A copy of this document is being returned to Port St. Lucie Chapter #113, a copy is being sent to the Department of Florida, and a copy is being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

A handwritten signature in black ink that reads "Michael E. Dobmeier". The signature is written in a cursive, flowing style.

MICHAEL E. DOBMEIER
National Judge Advocate

MED:as
Enclosure

c: Department of Florida

CONSTITUTION AND BYLAWS OF

Port St. Lucie, Chapter #113

CONSTITUTION

ARTICLE I - NAME

The name of this Chapter shall be Port St. Lucie, Chapter #113, Department of Florida, DISABLED AMERICAN VETERANS.

ARTICLE II - PURPOSE

The purpose of this Chapter is to build better lives for all of our nation's disabled veterans and their families 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 to the requirements as 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.

Section 2: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, past commanders and any other elected 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, 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

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

ARTICLE VI - AUXILIARY

This Chapter recognizes a DAV Auxiliary, subject to such supervision as conforms to the National and Department Constitution and Bylaws of both organizations.

ARTICLE VII - AMENDMENTS

This Constitution 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 the 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.

BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1: This Chapter recognizes the National Organization known as Disabled American Veterans, chartered by the 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.

Section 2: The governing body of this Chapter shall be the Chapter in session, except as otherwise provided in this Constitution and Bylaws.

Section 3: Minutes of the meetings of the Chapter, including the Chapter Executive Committee, shall be kept and be available for inspection by any Chapter member.

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.

ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, past commanders and any other elected Chapter officers.

Section 2: Meetings of the Chapter 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 other Chapter members may attend the Chapter Executive Committee meetings, but without the right to vote.

Section 4: A majority of the members of the Chapter Executive Committee shall constitute a quorum.

Section 5: The Chapter 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 annually a Commander, Senior Vice Commander, Junior Vice Commander, and a Treasurer. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Para. 2: The Commander, with the approval of the Chapter, shall appoint the Adjutant and Chapter Committees, with the exception of the Nominating Committee which shall be elected by the Chapter.

Para. 3: Such other officers as may be necessary to operate the Chapter may be appointed by the Commander, with the approval of the Chapter.

Para. 4: A Chapter officer report shall be submitted to the State Department and National Organization within ten (10) days after the installation of newly elected or appointed Chapter officers or in the event of any subsequent change in the Chapter officers during the membership year.

Para. 5: There shall be no voting by proxy or voting by absentee ballot.

Section 2, Para. 1: The Commander shall be the presiding officer at all Chapter meetings and, in his/her absence, the duty will fall to the next highest officer in line of succession who is present.

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

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. The Treasurer shall make a report on Chapter 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, in accordance with the requirements of the National Bylaws, shall be submitted to the State Department and Chapter.

Section 3, Para. 1: Upon election or appointment, and installation of the successor to any such Chapter office, all Chapter property in his or her predecessor's possession shall be surrendered to the newly installed officer.

ARTICLE 5 - QUALIFICATIONS

Section 1: Any person who is a member of this Chapter shall be eligible to any elective or appointive office in this Chapter, except as otherwise provided in this Constitution and Bylaws.

ARTICLE 6 - TENURE OF OFFICE

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

Section 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 3, Para. 1: 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.

Para. 2: 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 filled as outlined in Para. 1 of this Section.

Section 4: A majority vote of those Chapter members present and voting is required to elect a candidate for any Chapter office. A majority vote is also required to elect delegates to the State or National Convention.

ARTICLE 7 - MEMBERSHIP

Section 1: No new applicant shall be denied Chapter membership if he or she meets the eligibility requirements as set forth in the National Constitution and Bylaws.

Section 2: Only members of the Chapter in good standing are eligible to vote on any motion or at any election.

Section 3: Members of another Chapter may secure a transfer of membership to this Chapter, with the approval of the membership of this Chapter.

ARTICLE 8 - FINANCES

Section 1: The Treasurer or other designated officer shall deposit all monies in the name of the Chapter.

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

Section 3: All expenditures must be approved by the membership with the exception of regular bills to the chapter.

Section 4: The executive committee has the vested power between meetings to approve bills to the chapter.

Section 5: Membership dues shall be as provided in the National Bylaws.

ARTICLE 9 - MEETINGS

Section 1: Regular Chapter meeting dates, time and location shall be determined by majority vote of the Chapter in session.

Section 2: The Chapter must hold at least four (4) regular meetings with a quorum present within a membership year.

Section 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 ten (10) or more Chapter members.

Section 4: Rules of Chapter meetings shall be as follows:

- RULE 1. A quorum shall consist of seven (7) members in good standing, of which at least two (2) must be elected Chapter officers.
- RULE 2. 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 3. 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 4. Voting shall be by voice unless otherwise requested by at least seven (7) members.

ARTICLE 10 - COMMITTEES

Section 1: All Chapter committees will meet at the call of the Chairman or Commander, or as otherwise provided in this Constitution and Bylaws.

Section 2: Committees shall consist of not less than three (3) nor more than seven (7) members (except as may otherwise be herein provided), including the Chairman. Committees shall be appointed by the Commander, with the approval of the Chapter, with the exception of the Nominating Committee which shall be elected by the Chapter.

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

ARTICLE 11 - MISCELLANEOUS

Section 1, Para. 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.

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 either the governing State Department or 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 shall be conducted in accordance with Article 16 of the National Bylaws and applicable Regulations of the National Executive Committee.

ATTEST: 10/17/12

Ronald K. Kuepsheld
ADJUTANT (CHAPTER)
Jane E. Slusny
DEPARTMENT JUDGE ADVOCATE

Adopted after this second and final reading on the 17 day of OCT 2012.

William J. Lohrke
COMMANDER (CHAPTER)
Michael E. Slavin
NATIONAL JUDGE ADVOCATE

I CERTIFY that the within constitution and/or by-laws does not conflict with those of the National Organization, and to that extent, is approved. subject to my letter of November 26, 2012
6
DATE: 11-26-12