

**Constitution and Bylaws
DAV Department of Maine
T.W. Bazemore Chapter 19**

28 March 2023



CONSTITUTION

ARTICLE I – NAME

The name of this Chapter shall be T.W. Bazemore Chapter 19, Department of Maine, DAV (Disabled American Veterans).

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 the 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 comprised of the Commander, Senior Vice Commander, Junior Vice Commander(s), Adjutant, and Treasurer.

Section 3: At the times specified by the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, and Junior Vice Commander(s), and shall elect or appoint an Adjutant and Treasurer and other officers as may be necessary to operate 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 with the National and Department Constitution and Bylaws of both organizations.

ARTICLE VII – NONPARTISANSHIP AND NONDISCRIMINATION

Section 1: This organization shall be non-political and non-sectarian and will only represent itself on those issues pertaining to those that have a direct bearing upon the welfare of

America's disabled veterans. No one can endorse a policy that is contrary to that of our National Organization.

Section 2: The Disabled American Veterans has a non-discrimination policy whereby all requests for membership, aid and assistance are given equal consideration without regard to race, color, religion, gender identity, sexual orientation, national origin, handicap, age, or any other legally protected classification. Pronouns used hereafter are intended to be all inclusive.

ARTICLE VIII – 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 purposed 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 (DAV), incorporated by an 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 payment of its debts shall be distributed as provided in Article 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 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 available for display at all regular Chapter meetings if so requested.

ARTICLE 3 – EXECUTIVE COMMITTEE

Section 1: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander(s), Adjutant, and Treasurer.

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: Any Chapter members in good standing may attend Chapter Executive Committee meetings, but without the right to speak or 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. At other times shall recommend courses of action to the Chapter membership in session.

ARTICLE 4 – OFFICER ELECTIONS AND DUTIES

Section 1: The Chapter shall elect annually a Commander, Senior Vice Commander, and Junior Vice Commander(s), and shall elect or appoint an Adjutant and Treasurer and other officers as may be necessary to operate the chapter. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Nominations for Chapter officer will be accepted at the January meeting with the election occurring at the February meeting. Nominations may be submitted prior to the elections in February. Installation of officers to take place in March. If this is not feasible the election and installation will be held at the next meeting.

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

Any member in good standing of this Chapter shall be eligible to any elective or appointive office in this Chapter, except as otherwise provided in this Constitution and Bylaws.

Section 2: The Commander, with the approval of the Chapter, shall appoint the Adjutant, Treasurer, and Chapter Committees and other such officers as may be necessary to operate the Chapter. The exception to this rule is the Nominating Committee, if one is necessary, which shall be elected by the Chapter.

Section 3: The Adjutant may also hold office as Treasurer, if so elected. The Service Officer may hold any other elective or appointed officer.

Section 4: A Chapter Officer Election Report shall be submitted to the 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.

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

Section 6: The Commander, or in his or her absence the next highest officer, shall preside at all regular or special meetings of the Chapter. He or She shall maintain order and dispatch such business as may legally come before him or her. He or She shall perform all other duties that may reasonably be assumed to be incidental to this 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 him or her by the Chapter. The commander or the Adjutant are to ensure that all committees are responsive to the Chapter's needs and are following through with their prescribed duties.

The Senior Vice Commander and Junior Vice Commander(s), in succession, shall perform the duties of the Commander in the event of his or her absence until he or she returns, or a new commander is elected.

Section 7: The Senior Vice Commander shall be the Membership Chairman and, as such, is responsible for campaigns to increase membership. He or She is responsible for the membership records and should make certain they are kept up to date. With the approval of the Commander and the Chapter, the Senior Vice Commander may appoint one or more members to assist him or her in such membership activities. He or She may assume the duties of the Chapter Commander in the absence of the Chapter Commander. The Senior Vice Commander shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Chapter Commander.

Section 9: The principal duty of the Junior Vice Commander(s) is to assume all tasks and jobs assigned to him or her by the Chapter Commander. The Junior Vice Commander(s) shall work closely with the Senior Vice Commander and assist with membership matters. He or She should familiarize himself or herself with matters pertaining to membership and assist in the recruitment of members. He or She may assume the duties of the Chapter Commander in the absence of the Chapter Commander and Senior Vice Commander. The Junior Vice Commander(s) shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

Section 10: The Treasurer shall receive and immediately deposit all Chapter funds in the established accounts in the name of the Chapter without any deductions or offsets. He or She shall make authorized disbursements only by checks signed by the Treasurer and countersigned by the Commander or other authorized officer. He or She shall keep a system of accounts approved by the Chapter and shall preserve all receipts and checks for payments made. He or She shall render a monthly report of receipts and expenditures to the Department and 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 Department no later than 30 September each year. If the gross receipts of the Chapter, excluding dues, exceeds \$25,000, the annual financial report must also be submitted to the National Organization as required by National Bylaws.

The Treasurer shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Chapter Commander.

The office of the Adjutant and Treasurer may be held by the same person.

Section 11: The Adjutant is responsible for keeping records and conducting the Chapter's official correspondence. The Chapter Adjutant, in conjunction with the Chapter Commander, or acting Commander, shall approve all Chapter expenditures. The Adjutant shall, as best as possible, maintain a list of all Chapter assets and their whereabouts and condition. He or She 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 motions.

At each Chapter meeting, the Adjutant should read all correspondence received between meetings and see that all matters which require action by the Chapter are properly disposed of. He or She should answer all correspondence promptly and file copies of responses with the Chapter records.

The Adjutant shall work closely with the Commander, Treasurer, and other Chapter officers to efficiently carry out the duties of his or hers or office.

The Adjutant shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

The office of the Adjutant and Treasurer may be held by the same person.

Section 12: The Chaplain shall perform the duties of his or her station as set forth in the Official DAV Ritual. He or She shall call or visit ill or injured members, send get well or condolences cards or correspondence, and make a report of such at each Chapter meeting. He or She shall be responsible for encouraging attendance at DAV members' funerals and the proper conduct thereof. The Chaplain shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

Section 13: The Service Officer(s) shall advise and assist veterans disabled in the line of duty during time of war, and their dependents, in the preparation and processing of their claims for benefits from any governmental agency and make a report of such activities at each Chapter meeting. The Service Officer(s) shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

Section 14: The Officer of the Day shall perform the duties of his or her office as set forth in the Official DAV Ritual. He or She shall welcome all visitors and see that each is properly introduced. The Officer of the Day shall perform all such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

Section 15: The Sergeant at Arms and the Color Guards shall perform the duties of their respective offices as set forth in the Official DAV Ritual. The Sergeant at Arms shall perform all

such other duties as may be reasonably assumed to be incident to this office or as assigned by the Senior Vice Commander or Chapter Commander.

Section 16: Upon election, or appointment, and installation of a successor to any Chapter office, all Chapter property shall be surrendered to the newly installed officer.

Section 17: 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 18: 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.

Section 19: A member may hold only one elective Chapter office at any one time. A delegate to a National or Department Convention is not holding an "elective office" within the meaning of this Section. An elected officer may also hold an appointive office, and vice versa, except as may otherwise be provided in the National, Department or these Constitution and Bylaws.

ARTICLE 5—QUALIFICATIONS

Section 1: Any person who is a member in good standing 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—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 in good standing of another Chapter may secure a transfer of membership to this Chapter, with the approval of the membership of this Chapter.

Section 4: Any member of DAV in good standing may visit a Chapter meeting, however that member has no right to make a motion or vote on any motion or election.

ARTICLE 7—FINANCES

Section 1: The Treasurer, or other designated officer, shall deposit all monies in the name of the Chapter and shall countersign with the Commander, or other authorized 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 2: The Treasurer or other designated Chapter officer shall be charged with handling normal finances in the operation of the Chapter.

Section 3: The Commander and Adjutant are authorized reimbursement for participation in State and National Conventions, pending availability of funds. All other requests for Chapter reimbursements are subject to prior approval.

Section 4: Membership dues shall be as provided in the National Bylaws.

ARTICLE 8—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 the membership year (1 July – 30 June).

Section 3: Special meetings of the Chapter may be called by the Commander whenever he or she may deem it necessary or when so requested in writing five (5) 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, which shall include at least two (2) elected Chapter officer.

Rule 2: Robert's Rules of Order, Revised shall govern the Chapter when practical 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 or raised hands unless otherwise requested by at least seven (7) members.

ARTICLE 9—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), but not 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, except for 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 10—MISCELLANEOUS

Section 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.

Section 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.

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

Section 4: All disciplinary actions shall be conducted in accordance with Article 16 of the National Bylaws and applicable Regulations of the National Executive Committee.

Adopted after this second and final reading on _____.

STEPHEN SANTOS
CHAPTER COMMANDER

DAVID BURNS
CHAPTER ADJUTANT

DEPARTMENT JUDGE ADVOCATE

NATIONAL JUDGE ADVOCATE