

April 28, 2005

Mr. Wayne Harvey  
Dow V. Walker Chapter #25  
Disabled American Veterans  
P.O. Box 2227  
Beaverton, OR 97075

Dear Mr. Harvey:

The Constitution and Bylaws for Dow V. Walker Chapter #25, Department of Oregon are hereby approved as of this date.

A copy of this document is being forwarded to the Department of Oregon 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/rsa

Enclosure

c: Department of Oregon

# CONSTITUTION AND BYLAWS

## CONSTITUTION

### PREAMBLE

For God and Nation, and for our common good, 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 Oregon Chapter 25 of the Disabled American Veterans, the principles 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; to strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military associations; and to aid and assist worthy wartime disabled veterans, their widows, their orphans and their dependents

### ARTICLE I - NAME

The name of this Chapter shall be Dow V. Walker Chapter 25, Disabled American Veterans

### ARTICLE II - PURPOSE

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 camaraderie 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

**Section 1.** Membership in this Chapter shall conform with requirements as set forth in the National Constitution and Bylaws.

**Section 2.** No member shall by virtue of his membership, acquire any property rights or any present or existing right in or to the property which this Chapter may now have or hereafter acquire. Each member agrees that he shall not be entitled to any refund of dues or other payment upon resignation, transfer or expulsion or other termination of his membership, that he shall not

receive any monies or other things of value because of any service rendered to or to be rendered to the Chapter, as a member or officer or otherwise, unless the same is expressly authorized by the Chapter.

**Section 3.** Upon voluntary dissolution of this Chapter or upon revocation of its Charter as provided in the National Constitution and Bylaws of the DAV, any assets remaining after payment of its indebtedness, if any, shall revert to the State Department of Jurisdiction where it shall be held in trust for 18 months, and during which time the State Convention shall decide by two-thirds majority vote, whether the Chapter or subordinate organization can or cannot be reactivated or reorganized. If reactivated or reorganized the property, monies and effects shall be returned to the Chapter or subordinate organization. However, upon failure to reactivate or reorganize, the property, monies and effects shall revert to the State Department of Jurisdiction.

#### **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, Adjutant and Treasurer.

**Section 3.** At time specified, the Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Adjutant and Treasurer.

#### **ARTICLE V - EXECUTIVE**

The Executive Powers of this Chapter shall be vested in the Chapter Commander.

#### **ARTICLE VI - AUXILIARY**

This Chapter recognizes a DAV Auxiliary, subject only to such supervision as conforms with the National and Department Constitution and Bylaws of both Organizations. Chapter Auxiliary must recognize their purpose is to assist the Chapter in the performance of its functions and are not an entity unto themselves, even though they may govern their organization administratively.

#### **ARTICLE VII - AMENDMENTS**

This Constitution may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to approval of the Department and National Judge Advocate and effective only after the date of this approval provided that any amendments are read at three 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 by any member in good standing.

**Section 3.** All reference in this Constitution and Bylaws denoting masculine gender may be construed as applying to both male and female as required.

## ARTICLE II - CHARTER

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

## ARTICLE III - EXECUTIVE COMMITTEE

**Section 1.** The Executive Committee shall be composed of the Commander, who shall be the presiding officer, Senior Vice Commander, Junior Vice Commander, Adjutant and Treasurer.

**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 present shall constitute a quorum.

**Section 5.** The Executive Committee may act for the Chapter only in emergencies and at all other times shall recommend courses of action to the Chapter in session.

## ARTICLE IV - OFFICERS

**Section 1.** The Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Adjutant and Treasurer.

**Section 2.** The Commander shall appoint as needed; Chapter Chaplain, SEC/Legislative Chairman, Membership Chairperson, Service Officer, Committee Chairmen and such other officers as are necessary to carry out the business of the Chapter. If needed persons may hold dual positions.

**Section 3.** The Commander shall be the presiding officer and in his absence, the duty will fall to the next highest officer who is present.

**Section 4.** The Senior Vice Commander shall be the Membership Chairman and as such is responsible for campaigns to increase membership.

**Section 5.** The Treasurer shall keep an accurate record of all monies received and disbursed and shall deposit any monies received as soon as possible. He shall make a report on finances at each meeting and records shall be open to any member when a request is made at regular meeting.

**Section 6.** A Financial Statement, Report of New Officers and Delegate Fees shall be sent to the Department Adjutant no later than 15 days prior to the State Convention or as required by the State Department.

### **ARTICLE V - QUALIFICATIONS**

Any person who is a member in good standing and who has been duly initiated shall be eligible to hold any elective or appointive office of this Chapter.

### **ARTICLE VI - TENURE OF OFFICE**

**Section 1.** Officers shall be elected or appointed annually.

**Section 2.** Elected and appointed Officers shall be installed prior to the Department Convention each year and serve until newly elected Officers have been installed.

**Section 3.** Unexcused absence of any Officer for three consecutive meetings shall be cause for removal and the Commander is empowered to appoint a member to serve the unexpired term, with the approval of the Chapter.

**Section 4.** In the event that 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 Junior Vice Commander shall be filled by nomination and election at the same meeting that the vacancy occurred.

## ARTICLE VII - MEMBERSHIP

**Section 1.** Applications for transfer of membership shall be investigated and a report made to the Chapter at the next regular meeting.

**Section 2.** Only members in good standing, who have been duly initiated, are eligible to vote on any motion or election.

## ARTICLE VIII - FINANCES

**Section 1.** The treasurer shall deposit all monies in the name of the Chapter and shall be co-signer with the Commander or one other Officer on all checks.

**Section 2.** The Treasurer shall be charged with handling normal finances in the operation of the Chapter.

## ARTICLE IX - MEETINGS

**Section 1.** Chapter meetings shall be held at least once each month, with the exception of July and August when meetings are not required. Meeting dates to be set by a majority vote of the Chapter in session.

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

**Section 3.** Rules of Chapter meetings shall be as follows:

**RULE 1.** A quorum shall consist of at least three (3) members in good standing.

**RULE 2.** Roberts Rules of Order Newly Revised will govern except as hereafter specifically stated.

**RULE 3.** Discussion of personal grievances will not be in order on the floor unless brought forth by the Grievance Committee.

**RULE 4.** Matters concerning one individual only, with respect to his own personal interest, shall not be in order but may be taken before the proper committee.

**RULE 5.** Voting shall be via voice unless otherwise requested by at least three (3) members. There will be no votes by proxy.

ARTICLE X: - COMMITTEES

Section 1. All Committees will meet at the call of the Chairman or Commander.

Section 2. The Chapter Commander shall be a member ex-officio of all Committees.


ARTICLE XI - MISCELLANEOUS

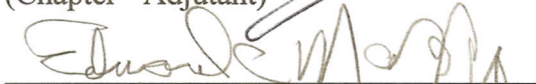
Section 1. Any amendment shall be subject to approval of the Department and National Judge Advocate and effective only after such approval has been received.


Section 2. To the extent to which the provisions of this Constitution and Bylaws are or may be at any time become inconsistent with the provisions of the Constitution and Bylaws and lawful mandates; decisions and regulations of either the State or National Headquarters, is now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.

ADOPTED THIS 17<sup>th</sup> DAY OF April, 2005.

ATTESTED:

  
\_\_\_\_\_  
(Chapter - Adjutant)


  
\_\_\_\_\_  
(Department Judge Advocate)

  
\_\_\_\_\_  
(National Judge Advocate)

  
\_\_\_\_\_  
(Chapter-Commander)

4-18-05  
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(Month) (Day) (Year)

4-29-05  
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(Month) (Day) (Year)

  
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and to that extent, is approved.

4-29-05