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May 13, 2024

Mr. Harold J. Gjerde, Adjutant
Minot Chapter #4
Disabled American Veterans
P.O. Box 32
Minot, ND 58703

EIN: 45-0305419

Dear Adjutant Gjerde:

The Constitution and Bylaws for Minot Chapter #4, Department of North Dakota, is hereby approved as of this date.

A copy of this document is being returned to Chapter #4 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,

Michael E. Dobmeier
National Judge Advocate

MED:js
Enclosure

c: Department of North Dakota

CONSTITUTION

ARTICLE I – NAME

The name of this chapter shall be Minot Chapter #4, Department of North Dakota, Disabled American Veterans.

ARTICLE II – PURPOSE

The purpose of this Chapter is to fulfill our promise to the men and women who served and to support the programs of the Disabled American Veterans as provided in the National Constitution and Bylaws and the Regulations of the National Executive Committee.

ARTICLE III – MEMBERSHIP

Membership of this Chapter shall conform with the requirements set forth in the National Constitution and Bylaws as now existing or hereafter amended. There shall be no associate, special or honorary membership in this Chapter.

ARTICLE IV – ADMINISTRATION

Section 1: The administrative affairs of this Chapter shall be vested in the Chapter Executive Committee. All other actions of the Chapter Executive Committee must be ratified by the majority present and vote of those Chapter members, at the next regular Chapter meeting.

Section 2: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Command, Junior Vice Commander, Adjutant, Service Officer, Chaplin, Sergeant-At-Arms, Treasurer, and any other members appointed by the Commander and approved by the membership.

Section 3: The Commander may call a special business meeting whenever he/she may deem it necessary; when requested in writing to do so by ten or more members in good standing of the Chapter; when requested in writing by a majority of the Executive Committee.

Section 4: The call of any special meetings shall state specifically the purpose for which it is called and no other business other than specified in the request shall be conducted at such meeting.

Section 5: The Chapter Commander or Senior Vice may not serve as Adjutant or Treasurer.

Section 6: At the time specified in the National Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Sergeant-At Arms, Chaplin, and Service Officer. The Adjutant, committee heads, historian, color guards and other – may be appointed by the Commander, with the approval of the membership.

Section 7: The regular meeting of this Chapter will be conducted at a time and place determined by a vote of the membership. If a one time unforeseen scheduling problem arises the Executive Committee will find an alternate location and members will be informed by the Adjutant.

ARTICLE V – EXECUTIVE

The executive power of this Chapter is the Chapter Commander. He/she serves as the official spokesperson for the Chapter.

ARTICLE VI – AUXILLARY

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

ARTICLE VII – AMENDMENTS

The 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 State Department and National Judge Advocate, and effective only after the date of said approval, provided that any such amendment is read at two (2) meetings and all Chapter members were notified of the proposed changes prior to each of those two (2) meetings.

BYLAWS

ARTICLE 1: - ORGANIZATION

Section 1: This Chapter recognizes the National Organization known as (DAV) Disabled American Veterans, incorporated by an act of Congress and affirms its allegiance and subordination to the National Organization and the Constitution of the Chapter.

ARTICLE 2 - CHARTER

The Charter of the Chapter, issued by the National Executive Committee, is its authority to function and shall be in the possession of the Commander or Senior Vice Commander at all meetings.

ARTICLE 3 - EXECUTIVE COMMITTEE

Section 1; The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Adjutant, Treasurer, Chaplin, Service Officer, Sergeant-At-Arms. And any other members appointed by the Commander and approved by the membership.

Section 2: Meetings of the Chapter Executive Committee will be called by the Commander or at the request of a majority of its membership, made in writing to the Commander.

Section 3: Chapter members may attend the Executive Committee meetings, but without the right to vote.

Section 4: A majority 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 course of action to the Chapter in sessions.

ARTICLE 4 – OFFICERS

Section 1: The Chapter shall elect annually a Commander, Senior Vice Commander, Junior Voce Commander, Sergeant-At-Arms, Treasurer, Service Officer and Chaplin.

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

Section 3: Other Officers as necessary to operate the Chapter may be appointed by the Commander with the approval of the membership.

Section 4: A Chapter officer report shall be submitted to the State Department and National Organization within (10) days of 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 voting by absentee ballot.

Section 6: 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.

Section 7: The Senior Vice Commander shall be the Membership Chairman for campaigns to increase membership and Chair of the Constitution Committee.

Section 8: The Junior Vice Commander shall be the Chairman of the Fund Raiding Committee

Section 9: The Treasurer shall receive and deposit all Chapter funds in a bank account in the name of the Chapter. He/she shall keep a system of accounts and expenditures approved by the Chapter and shall preserve all receipts, checks, or vouchers for payments made. He/she shall render a monthly report of receipts and expenditures to the Chapter not later than the first regular Chapter meetings following the last day of each calendar month. An annual audit 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.

Section 10: Sergeant-At-Arms shall keep and maintain attendance records at meetings and is responsible for the POW presentation at DAV programs.

Section 11: Adjutant shall complete duties that are assigned by the Chapter Commander.

Section 12: Upon election or appointment and installation of the successor to any such Chapter Office, all Chapter property in his/her predecessor's possession shall be surrendered to the newly installed officer.

ARTICLE 5 – QUALIFICATIONS/DEFINITIONS

Section1: A person who is a member in good standing of this Chapter shall be eligible for any elected or appointed office in this Chapter.

ARTICLE 6 – TENURE OF OFFICE

Section 1: Officers for the Chapter will be nominated during the March meeting and again immediately prior to voting at the April meeting.

Section 2: Elected and appointed Officers will be sworn in at the end of the April meeting.

Section 3: The Chapter may, by a majority vote, declare vacant the office of any officer who fails, without excuse from the Commander or acting Commander, to attend three (3) consecutive meetings of the Chapter. The Chapter at any regular meeting may, by two-thirds vote, declare any office vacant for failure to perform the duties of his/her office. Such vacancies shall thereupon be filled.

Section 4: 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 vacancy filled at the next meeting as outlined in Section 5 of this Article.

Section 5: A majority vote of those Chapter members present and voting, is required to elect a candidate for any Chapter office. It shall also require a majority of votes cast to elect delegates to State or National conventions.

ARTICLE 7 – MEMBERSHIP

Section 1: No new applicant shall be denied Chapter membership if he/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 election.

Section 3: Members of another Chapter may secure a transfer of membership to this Chapter.

ARTICLE 8 –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 one other designated Chapter Officer on all checks. There shall be no "pre signed" chapter checks. 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 officer, shall be charged with handling normal finances in the operation of the Chapter.

Section 3: Membership dues shall be as provided in the National Bylaws.

Section 4: Officers for the Chapter, to include Adjutant, may spend up to \$100.00 for incidentals between Chapter meetings without a vote, (the Treasure must be contacted to verify fund availability) providing finances permit and will notify the Treasure and Commander of expenditure.

ARTICLE 9 – MEETINGS

Section 1: Regular meeting dates, time and location shall be determined by a 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: Robert's Rules of Order shall govern Chapter meetings 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.

Rule 4: Matters concerning an individual member must be taken before the proper committee.

Rule 5: Method of voting shall be determined by the Chapter Commander.

ARTICLE 10 – COMMITTEES

Section 1: Committees will meet at the call of the Chairman or Commander or as otherwise provided in the Constitution and Bylaws. The following Committees may be installed: Welfare, Scholarship, Fund Raising, Donations, Department Convention, Auditing, Entertainment, Nomination, Events, Constitution, Publicity, and other committees as might be authorized by the Chapter.

DUTIES

Welfare: Chaplin will chair this committee. Report illnesses and deaths of Chapter members to the membership. Conduct visitations with those in need.

Scholarships: This position is appointed. Advertise and receive applications for scholarships sponsored by the DAV Chapter 4.

Fund Raising: Chaired by the Junior Vice Commander. Plan and organize all fundraising opportunities for DAV Chapter 4.

Donations: Sergeant-At-Arms shall chair this committee. Review fund requests that are submitted to support disabled veterans for an increased quality of life. Provide the membership with requested action, amount, and the committee recommendation to determine the request approval or disapproval.

Department Convention: Chaired by the Commander. Organizes and plans the hosting of the State Department Convention when hosted by DAV Chapter 4. Nominates delegates to attend convention and forward to membership for approval.

Auditing: This position is appointed. Perform an annual audit of the finances of DAV Chapter 4 and report to the membership its findings.

Entertainment: Chaired by the Service Officer. Plan, organize and oversee all events outside of monthly meetings and coffees.

Nominating: Elected by the membership. Ensure all nominated members for office and a background check. Design the ballot forms and conduct the official vote for all offices.

Constitution: The Senior Vice Commander is the Chairperson. Ensure the Constitution is current with National and State Constitutions.

Publicity: Commander is the Chairman. Ensure media sources are made aware of events and accomplishments of the Chapter and its members.

Section 2: The Commander shall designate the Chairman of and may serve as ex-officio member of all committees appointed by him/her.

Section 3: Committees shall consist of not less than three (3) nor more than five (5) members including the Chairman. Members are selected by the Chairmen.

ARTICLE 11 – MISCELLANEOUS

Section (1): These bylaws may be amended at any meeting. A vote of two-thirds of those Chapter members present, subject to approval of the National Judge Advocate and effective after approval provided that any such amendment is read at two (2) meetings and the Chapter members were notified of the proposed change prior to each of the two (2) meetings.

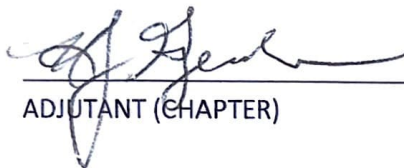
Section (2): A copy of this Constitution and Bylaws and Charter shall be in the possession of the Commander during official meetings and available to members upon request.

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Section (3): To the extent to which any of the provisions of this Constitution and Bylaws are, or may at any time become, in conflict with the provisions of the Constitution and Bylaws, 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, the instrument shall be deemed amended so as to conform.

Section (4): All disciplinary action shall be conducted in accordance with Article 16 of the National Bylaws and applicable regulations of the National Committee.

Adopted the second and final reading on March 14 2024.



ADJUTANT (CHAPTER)



COMMANDER (CHAPTER)



DEPARTMENT JUDGE ADVOCATE



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.

Date: 5/13/24

DAV National Judge Advocate