



Naomi #15

**Official
Constitution and Bylaws**

of

Naomi Chapter #15

**Department of Pennsylvania
Disabled American Veterans**

REVISED: JUNE 2015

Philadelphia, PA



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CONSTITUTION

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PREAMBLE

For God and Nation, and for our commonweal, 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 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 association; 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 — "Naomi Chapter #15, Department of Pennsylvania, 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 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 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

Any man or woman, who was wounded, gassed, injured or disabled in line of duty during time of war, while in the service of either the military or naval forces of the United States of America, and who has not been dishonorably discharged or separated from such service, or who may still be in active service in the armed forces of the United States of America is eligible for membership in the Disabled American Veterans. Others, who are disabled while serving with any of the armed forces of any nations associated with the United States of America as allies during any of its war periods, who are American citizens and who are honorably discharged, are also eligible.

This chapter shall not have honorary members.

ARTICLE IV - GENERAL POWERS

To have perpetual succession, with power to sue and to be sued in courts of law and equity; to receive, hold, own, use and dispose of such real estate and personal property as shall be necessary for chapter purposes; to adopt a corporate seal and alter the

same at pleasure; to adopt a constitution, bylaws and regulations to carry on its purposes, not inconsistent with the laws of the United States or any state thereof, or the National Constitution and Bylaws of the Disabled American Veterans, or the Department of Pennsylvania Constitution and Bylaws of the Disabled American Veterans; to use and display such emblems and badges as may be officially adopted; to establish and maintain offices for the conduct of its business; to publish a newspaper or other publication devoted to the cause of the disabled veteran and, generally, to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of this organization.

ARTICLE V - ADMINISTRATION

Section 1: The administrative affairs of this organization shall be vested in a Chapter Executive Committee in emergencies only. All other actions of the Executive Committee must be ratified by a simple majority vote of the chapter membership present and voting.

Section 2: The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Judge Advocate and all other elected chapter officers.

Section 3: At the time, and in the manner, specified in the Chapter Bylaws, the Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Judge Advocate, Chaplain and such other officers as may be necessary to operate the Chapter.

ARTICLE VI - EXECUTIVE

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

ARTICLE VII - AUXILIARIES

This Chapter recognizes a Women's Auxiliary and the National Order of Trench Rats as Auxiliary units of the Disabled American Veterans.

ARTICLE VIII - ADMENDMENTS

This Constitution may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, subject to the approval of the Department and National Judge Advocates, and effective only after date of such approval, provided that any such admendment is read at a previous meeting and that all members were notified of the proposed change at least fourteen (14) days prior to the meeting the admendment was read.

Bylaws

of

Naomi, Chapter 15

ARTICLE 1 - ORGANIZATION

Section 1: The governing body of this chapter shall be the Chapter in session, except as otherwise provided in this Constitution and Bylaws.

Section 2: Accurate records shall be kept of all Chapter proceedings, including all committee proceedings, including the Executive Committee. All Chapter records shall be open for inspection to any member in good standing.

ARTICLE 2 - CHARTER

The charter of this Chapter, issued by the National Executive Committee, shall be displayed behind the Commander's station at all regular meetings.

ARTICLE 3 - MEMBERSHIP

Section 1: Eligibility for membership in this Chapter shall be as provided in the National Constitution and Bylaws, Pennsylvania Department Constitution and Bylaws and Naomi Chapter #15 Constitution and Bylaws as presently framed and /or as hereafter amended.

Section 2: Applicants for membership, whether new, transfer or assigned, shall be investigated by the Adjutant and a report made to the Chapter at the next regular meeting. Only after proper investigation shall the member be accepted and allowed to participate in Chapter proceedings.

Section 3: No applicant shall be denied Chapter membership if he meets the eligibility requirements as set forth in this Chapter Constitution and Bylaws.

ARTICLE 4 - OFFICERS

Section 1: The Chapter shall elect a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, Judge Advocate, Sergeant-at-Arms and three (3) Trustees.

Section 2: The Commander shall appoint the Adjutant, Committee Chairmen, and Committee members, and any other officers necessary for the operation of Chapter business, subject to the approval of the Chapter membership. The Adjutant may simultaneously hold office as Treasurer if so elected.

Section 3: A Chapter officer report shall be submitted to the Pennsylvania Department and National Headquarters within ten (10) days after the installation of newly elected or appointed officers, or any subsequent change in Chapter officers, during the membership year.

Article 5 - DUTIES OF OFFICERS

Section 1: The Commander shall preside at all regular or special Chapter meetings. He shall maintain order and dispatch

such business as may legally come before him. He shall serve as an ex officio member of all committees with the right to vote only in the case of a tie vote. He shall decide points of order, subject to appeal to the membership, and exercise general supervision over the executive routine of the chapter. He shall appoint, subject to the approval of the Chapter membership, all standing and special committees, and except as otherwise herein provided, designate their number, and define their duties. He may countersign negotiable instruments issued, held, or owned by the Chapter, or he may appoint, subject to Chapter membership approval, a third bonded person to countersign in his stead.

Section 2: The Senior Vice Commander shall during the absence of the Commander, preside over meetings and generally exercise the authority of the chair. If the Commander should die, resign, become incapacitated or be removed, he shall assume the full duties of the Commander until an election can be held.

Section 3: The Junior Vice Commander shall during the absence of the Commander and the Senior Vice Commander serve as the Chapter Commander. During the absence of the Senior Vice Commander he will perform the duties of the Senior Vice Commander. He will perform other duties as assigned.

Section 4: The Treasurer shall receive, and immediately deposit, in the name of the Chapter, in a Chapter approved bank account, all monies and/or instruments of value, without any deduction or offset. He shall only make chapter authorized disbursements approved at a chapter meeting with a quorum present. All Chapter authorized disbursements must be by check, signed by the Treasurer and countersigned by the Commander or other

Chapter authorized bonded officer. He shall sign, along with one other Chapter authorized bonded officer, all negotiable instruments issued to, or received by, the Chapter. He shall keep a system of accounts approved by the Chapter and shall receive and preserve all receipts and checks or vouchers for payments made. He shall keep full and accurate account of all transactions and shall submit for review, upon request, to the Chapter, Commander, Executive Committee or Audit Committee, all books, records, receipts, vouchers, evidence of indebtedness or investment and/or papers entrusted to him. He shall make a detailed report of all receipts or expenditures at all regular meetings. If, because of lack of a quorum, or for any other reason, a regular meeting is not held separate financial reports must be submitted and approved for each reporting period. Without notice or demand he shall surrender to his duly elected, or appointed, successor all the records and other property of the Chapter or of the DAV Organization in his possession or under his control.

Section 5: The Adjutant is responsible for keeping the Chapter's records and conducting the Chapter's official correspondence. He must keep complete and accurate records of the Chapter's meetings, including detailed records of each motion considered, and business affairs. All monies received or spent by the Chapter shall be recorded in his bookkeeping records. He is responsible for keeping the Chapter's membership records up to date and shall notify all members of chapter meeting dates at least 7 days before the meeting date. If a special meeting is called he must make sure that the reason for the meeting is listed on the notice. He shall serve as the Secretary, of all Committees. He must read the minutes of the preceding meeting and make sure a motion of acceptance or rejection is passed. At each meeting

he shall read all correspondence received between meetings and see that all matters that require action by the Chapter are properly disposed of. He shall answer all correspondence promptly and file copies of all answers with the Chapter records. He shall read all resignations and applications for membership and make sure only members in good standing participate in Chapter business. He shall act as custodian of the Seal and legal documents of the Chapter, and perform such other duties as directed by the Chapter or the Commander. The Adjutant must work closely with the Commander, Treasurer, and other Chapter officers, in order to efficiently carry out his duties.

Section 6: The Chaplain shall be the spiritual advisor for the Chapter. When requested he shall offer advice and counsel, offer sympathy and condolence, and perform other ceremonial functions consistent with his office. He shall also perform such other duties as the ritual or the Commander or Chapter may direct.

Section 7: The Judge Advocate shall act as Counselor to the Commander and the Chapter. He shall, upon request of the Commander or the Chapter, render an opinion upon all questions arising out of any dispute concerning order, interpretation or procedure. His opinion shall be advisory only and is not binding on the Commander or Chapter. He shall perform such other duties as the Commander or Chapter shall direct.

Section 8: The Sergeant-at-Arms, under direction of the Commander, shall preserve order at all meetings and perform other such duties as the Commander or Chapter may direct.

Section 9: The Board of Trustees

Para. 1: The Trustees shall number three (3) and as a group shall comprise the Board of Trustees. The Board members shall be one three (3) year Trustee, one two (2) year Trustee and one, one (1) year Trustee.

Para. 2: Each year one Trustee shall be elected to a three year term, and existing Trustees shall commence serving the next lower term caused by subtracting one year served from term of office existing at the beginning of the membership year.

Para. 3: The Board of Trustees shall also serve as the Auditing Committee. The Chairman of the Board of Trustees/Auditing Committee shall be appointed by the Commander, with the approval of the Chapter.

Para. 4: The Board of Trustees/Auditing Committee shall have supervision over the property of the Chapter, observe that all persons handling Chapter funds are properly bonded and shall audit the Chapter financial records at least once a year. Audit of Chapter records requires the presence of at least two members of the Board of Trustees/Auditing Committee. All audits and/or inspections of property or records require the signature(s) of the inspectors/auditors along with the date of the inspection/audit. The Commander shall be notified prior to any inspection/audit.

ARTICLE 6 - NOMINATION AND ELECTION OF OFFICERS

Section 1: The Chapter shall hold its annual nomination of officers at its regular meeting in the month of March, and further nomination, and its annual election of officers at its regular meeting in the month of April. Due notice of each scheduled nomination and/or election shall be mailed to all members in good standing at least ten days prior to the scheduled nomination and/or election.

Section 2: All candidates for office must be present at the time of nomination, but need not be present at the time of election.

Section 3: No member shall be a candidate for more than one (1) elective office. All candidates for all offices must be members in good standing at the time of the nomination and election.

Section 4: Chapter officers-elect shall be installed at a regular or special meeting during the month of June. All officers shall serve until their successors are installed.

Section 5: Vacancies

Para. 1: If the office of Commander becomes vacant before expiration of the elective term the Senior Vice Commander shall assume the office of Commander for the unexpired term. The Junior Vice Commander shall assume the office of Senior Vice Commander for the same period. An election shall be held to fill the Junior Vice Commander vacancy.

Para. 2: If the offices of Commander and Senior Vice Commander become vacant before the term expiration the Junior Vice Commander shall assume the office of Commander for the remaining unexpired term. An election shall be held to fill the Senior Vice Commander and Junior Vice Commander vacancies.

Para. 3: The Commander shall fill all other vacancies in office by appointment, with the approval of the Chapter, until an election can be held to fill the unexpired terms.

Para. 4: In the event of a vacancy in any elective office the nominations and election shall be made at the same meeting. Officers elected to fill vacancies shall be installed at the same meeting at which they were elected.

Section 6: Unexcused absence of any officer for three (3) consecutive meetings shall be cause for removal and, unless otherwise provided for herein, the Commander is empowered to appoint a member to serve, with the approval of the Chapter, until an election can be held. If the Commander is guilty of three (3) unexcused absences the Executive Committee is empowered to meet and recommend removal and approve the succession of the Senior Vice Commander for the unexpired term. If the Executive Committee fails to act, after 30 days, the Chapter is empowered to vote to recall the Commander and allow the normal line of succession to take place.

Section 7: Any member in good standing shall be eligible for any elective or appointive office in this Chapter.

ARTICLE 7 - EXECUTIVE COMMITTEE

Section 1: The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Judge Advocate, Chaplain, last Past Chapter Commander and all other elected Chapter officers.

Section 2: The Executive Committee shall meet between regular Chapter meetings to respond to emergencies. Chapter Executive Committee decisions, other than those lawfully made in response to a real emergency, are recommendations only and must be submitted to the chapter membership for approval

Section 3: Meetings of the Executive Committee shall be called for cause by the commander, or by written request of a majority of the committee members. The reason(s) for the meeting shall always be stated and no other business shall be conducted.

Section 4: Appointed officers, committee chairmen and lay members may attend Executive Committee meetings, but without the right to vote. The Chapter Commander shall have a right to vote only in case of a tie vote.

Section 5: A majority of the the Executive Committee membership shall constitute a quorum.

Section 6: The Adjutant shall read the minutes of each Executive Committee meeting at the next following regular Chapter meeting. Approval of the minutes by the Chapter shall constitute approval of all authorized recommendations and actions

taken by the committee. Unauthorized committee actions, or actions outside the scope of the stated reason for the meeting, must be submitted separately for Chapter approval.

ARTICLE 8 - DUES

Section 1: Membership dues shall be as provided for in the National Bylaws, **ARTICLE 11** and/or Pennsylvania Department Bylaws, **ARTICLE IV**, as now existing or as amended anytime in the future.

Section 2: Dues of an applicant not admitted to membership shall be refunded immediately. No refund of dues shall be made to any person elected to membership.

Section 3: Applicants for membership shall not be accepted for membership before the equivalent of one (1) year's dues have been paid. Until accepted applicants are not to be considered members in good standing.

Section 4: The membership, by unanimous vote, may grant a member in arrears of dues permission to attend a meeting, but no Officer, Board, Committee, or Chapter authority shall have the right to confer membership privileges upon anyone who is in arrears of dues.

Section 5: The standing of a member shall be ascertained from the records of the Treasurer, Adjutant, or a dated, signed or otherwise validated receipt.

Section 6: Any Officer who allows his membership to expire automatically forfeits all rights to his office.

ARTICLE 9 - MEETINGS

Section 1: Unless otherwise directed by majority vote of the Chapter membership, regular Chapter meetings shall be held the fourth Monday of every month, during the period September through June of the membership year, at a time and place acceptable to a majority of the membership.

Section 2: Nine (9) members, or ten (10) percent of the total membership in good standing, whichever is smaller, shall constitute a quorum.

Section 3: Special meetings may be called at the discretion of the Commander. The Commander shall also call a special meeting at the signed, written, and dated request of seven (7) members in good standing. All members shall be notified, in writing, of the time, place and reason(s) for the meeting, at least 7 days before the meeting. All special meetings must be called for (a) stated reason(s) and no business shall be conducted at the meeting except that for which the meeting was called.

ARTICLE 10 - VOTING

Section 1: There shall be no voting by proxy. Members must be present to cast a vote.

Section 2: Election voting shall be by secret written ballot only, unless the Chapter, by unanimous vote, decides otherwise. When the ballot is by secret written vote the Commander, or Presiding Officer, is allowed to vote.

Section 3: Unless otherwise provided herein it shall take a two thirds majority of those members eligible to vote to suspend the rules for any reason.

Section 4: A majority of the votes cast shall be required to elect a candidate for Chapter office. A majority vote shall be required to elect a State Department or National Convention delegate or alternate; however, if there are fewer candidates and alternates than the number of delegates and/or alternates the Chapter decides to fund, then all candidates nominated will be automatically elected.

ARTICLE 11 - RESIGNATIONS

Resignations from elective office, committee assignment, or membership in the Chapter shall be submitted in writing addressed to the Chapter through the Adjutant. Resignations shall be read and voted upon at the first meeting following receipt of the resignation

ARTICLE 12 - CONVENTIONS

Section 1: Delegates and Alternates to the State and National Conventions shall be nominated and elected at least one (1) month prior to the holding of the Conventions. Nomination and election shall be held at the same meeting.

Section 2: Only members present at the meeting shall be eligible for nomination as a Delegate or Alternate. Candidates for Delegates or Alternates must be members in good standing at the time of nomination and/or election.

SECTION 3: THE NUMBER OF DELEGATES/ALTERNATES, AND THE AMOUNT OF REIMBURSEABLE EXPENSES ALLOTTED TO EACH, SHALL BE DETERMINED BY MAJORITY VOTE BEFORE THE DELEGATES/ALTERNATES ARE ELECTED.

ARTICLE 13 - APPEALS

All lawful decisions of the chair, including points of order, shall be final and binding upon the Chapter unless:

- (a) overruled by a three-fifths vote of the members at the meeting.
- (b) reversed upon appeal taken, within thirty (30) days, to the next higher governing body

ARTICLE 14 - DISCIPLINARY ACTIONS

Section 1: Disciplinary action shall be taken against any member in accordance with the provisions of ARTICLE XVI of the National Constitution and Bylaws and whatever guidelines approved and published by the National Executive Committee and the Department Constitution and Bylaws.

Section 2: Submission of a Chapter member's name to the Department Commander for the purpose of recommending disciplinary action requires the concurrence of the Chapter Executive Committee. All charges, and the supporting written record, which shall be made part of the Chapter's records, shall be the sole basis for any and/all Chapter charges submitted against a member.

Section 3: The Chapter Executive Committee shall develop and approve rules of procedure for handling Chapter initiated

recommendations for disciplinary action. The rules require the approval of the Chapter before becoming policy.

ARTICLE 14 - MISCELLANEOUS

Section 1: On matters of procedure not covered by this Constitution and Bylaws, the National Constitution and Bylaws or and/or the Department Constitution and Bylaws, shall be governed by Robert's Rules of Order, Revised.

Section 2: The masculine when used in this Constitution and Bylaws shall include the feminine gender.

Section 3: The tenure of office of all elected officers shall shall run from election until the end of the membership year. No Commander shall be eligible to succeed himself after he has served two consecutive terms as Chapter Commander.

Section 4: No member shall be permitted to hold more than one elective office at the same time. A member may hold an elective and an appointive office at the same time. This does not include the Commander, Senior Vice Commander and Junior Vice Commander who may not hold the office of Adjutant or Treasurer while serving their elective terms.

Section 5: The amount of compensation to be paid appointed officers will be recommended by the Executive Committee to the membership who will have sole authority to authorize the payment of funds. The amount of compensation will be fixed before the nomination of officers. The Commander, Senior Vice

Commander and Junior Vice Commander shall not be eligible to hold a paid office in the Chapter.

Section 6: There shall be no gifts, salary, fees, allowances or other emoluments given to an outgoing Commander, with the exception of a Past Commander's Button, Placque or other similar award, the cost of which shall not exceed fifty (50) dollars.

Section 7: These Bylaws may be amended at any Chapter meeting by a two-thirds majority vote of those present and voting, provided that any such amendment(s) is (are) read at two (2) prior meetings and that all members were notified of the proposed change(s) prior to each of the two (2) meetings. These Bylaws shall take effect immediately after approval by the State Department and National Judge Advocates and any prior Constitution and Bylaws, Rules, Regulations, and Resolutions inconsistent with these Bylaws shall be null and void.

ATTEST. Naomi Chapter #15, Department of Pennsylvania,
Disabled American Veterans.

Adopted after this third and final reading this
twenty-seventh day
of November, 1995

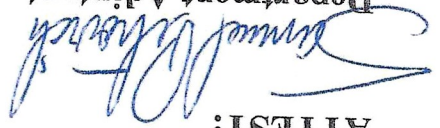
ARTICLE XIV - MISCELLANEOUS

Section 14.1: Amendments:

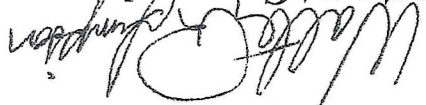
These Bylaws may be amended at any Department Convention by a vote of two-third of the total accredited delegates assembled, provided that the proposed amendment or amendments shall have been read or presented to the convention at a prior convention business session before being voted upon. No amendment to these Bylaws will be effective until approved by the National Judge Advocate.

Section 14.2: If this Constitution and Bylaws at any time become inconsistent with the provisions of the National Constitution and Bylaws, or lawful mandates, decision and regulations now in force or hereafter amended or adopted, this instrument shall be deemed amended so as to conform.

ATTEST:


Department Adjutant

APPROVED:


Department Commander

APPROVED:


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: 10-7-15
DAV National Judge Advocate