



Constitution and Bylaws

Skyline Chapter 30

February 1, 2022

CONSTITUTION AND BYLAWS DISABLED AMERICAN VETERANS SKYLINE CHAPTER 30, INC.

CONSTITUTION

ARTICLE I – NAME

The name of this Chapter shall be Disabled American Veterans, Skyline Chapter 30, Inc.

ARTICLE II – PURPOSE

The purpose of this Chapter is fulfilling our promises to the men and women who served, and to support the program of the Disabled American Veterans as defined in the National Constitution and Bylaws.

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 Executive Committee in emergencies only and all other actions of the Executive Committee must be ratified by a simple majority vote of the Chapter members in good standing present and voting at the next regular Chapter meeting.

Section 2: At the time specified in the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain and Department Executive Committeeman.

Section 3: The appointed officers of the Chapter shall consist of the Adjutant, Judge Advocate, and Sergeant-At-Arms, who shall be appointed by the Commander with the approval of the Chapter. 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.

Section 4: The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, Adjutant, Immediate Past Commander and the Department Executive Committeeman.

ARTICLE V – EXECUTIVE

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

ARTICLE VI – AUXILIARY

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

ARTICLE VII – AMENDMENTS

This Constitution may be amended at any Chapter meeting by a two-thirds majority vote of those members in good standing who are present and voting, subject to approval of both the Department and National Judge Advocates, and effective only after date of this approval, provided that any such amendment is read at two (2) meetings and that all members were notified of the proposed change, utilizing the current method in use by the Chapter to post meeting notices or other news for Chapter members prior to each of the (2) two meetings. Such notice may be by USPS, electronic mail, or social media developed and maintained by the Chapter.

BYLAWS

ARTICLE 1 – MISSION STATEMENT

We are dedicated to a single purpose: empowering veterans to lead high-quality lives with respect and dignity. We accomplish this by ensuring that veterans and their families can access the full range of benefits available to them; fighting for the interests of America's injured heroes on Capitol Hill; and educating the public about the great sacrifices and needs of veterans transitioning back to civilian life.

ARTICLE 2 – ORGANIZATION

Section 1: This Chapter recognizes the National Organization known as Disabled American Veterans, 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 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 the Chapter shall be in the Chapter in session, except as provided in the Constitution.

Section 3: Records of the proceedings of the Chapter and Executive Committee shall be kept and open for inspection to any member in good standing.

ARTICLE 3: CHARTER

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

ARTICLE 4 – EXECUTIVE COMMITTEE

Section 1: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, Adjutant, Immediate Past Commander and the Department Executive Committeeman.

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

Section 3: A majority of members of the Chapter Executive Committee shall constitute a quorum.

Section 4: Appointed officers, committee chairmen and lay members may attend the Chapter Executive Committee meetings, but without the right to vote.

Section 5: The Chapter Executive Committee may act for the Chapter in emergencies only and at all other times shall recommend courses of action to the Chapter in session. The Chapter Executive Committee may authorize emergency expenditures and Welfare & Relief funds not to exceed \$500.00

Section 6: All fundraising projects and all agreements and contracts shall be referred to the Chapter Executive Committee for its recommendations before being acted upon by the Chapter.

Section 7: All motions for expenditures of items not included in the budget shall be referred to the Chapter Executive Committee for its recommendations.

Section 8: In the event the Chapter Executive Committee fails to make recommendations upon any matter referred to it within 45 days, the Chapter, by majority vote, may act upon such matter without receiving the recommendations of the Committee.

Section 9: The Adjutant shall serve as Secretary at meetings of the Chapter Executive Committee. The Adjutant shall read the minutes at the next regular Chapter meeting. The approval of the minutes by the Chapter shall constitute an approval of the recommendations and actions taken by the Executive Committee as reported in such minutes. When the minutes are read, and Chapter member may request that any part thereof be discussed or voted upon separately.

Section 10: The Chapter Executive Committee shall also act as a Resolutions Committee, and no resolution shall be adopted by the Chapter unless first submitted to the Chapter Executive Committee for its recommendations, except by a three-fourths affirmative Chapter vote.

ARTICLE 5 – DEPARTMENT EXECUTIVE COMMITTEEMAN

Section 1: The Chapter shall, following the election of officers at the scheduled meeting in April, elect two (2) members to represent the Chapter on the Department Executive Committee. They shall have the titles of Department Executive Committeeman (D.E.C.) and Alternate Department Executive Committeeman (A.D.E.C.) and shall be classified as officers of the Department. Notification to the Department of Virginia shall be made on the form promulgated by the Department and shall be submitted immediately to the Department Adjutant.

Section 2: The Chapter shall pay, subject to budget approval, financial assistance for one D.E.C. to attend meetings of the Department Executive Committee. Reimbursement to be based on mileage, lodging and per diem as established by the Chapter Receipts shall support vouchers for reimbursement.

Section 3: A nominee for the position of D.E.C. or A.D.E.C., as a pre-requisite to said office, shall have served as a Chapter elected officer or held an elected position as a Department Officer. The D.E.C. and A.D.E.C. shall be familiar with the Constitution and Bylaws of the National DAV organization, Department of Virginia, and Chapter 10, as well as N.E.C. and D.E.C. Regulations.

ARTICLE 6 – OFFICERS

Section 1: Elected Officers

Paragraph 1: The Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, and Chaplain.

Paragraph 2: A member may hold only one elective Chapter office at any one time. A delegate to a National or Department Convention or Department Executive Committee is not holding an “elective office” within the meaning of this Section, except as otherwise provided herein, an elected officer may also hold an appointed office, and vice versa, except the Chapter Commander may not hold the position of Adjutant.

Paragraph 3: Any person who is a member in good standing shall be eligible for any elective or appointive office in this Chapter, except as otherwise provided in this Constitution and Bylaws.

Paragraph 4: Upon the election, or appointment, and the installation of the successor to any office, all Chapter property in his or her possession shall be surrendered to the newly installed officer.

Paragraph 5: A Chapter Officer Report shall be submitted by the Adjutant to the Department of Virginia and the 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. A Department of Virginia Chapter Supplemental Report shall accompany the Chapter Officers Report submitted to the Department.

Section 2: Duties of Elected Officers

Paragraph 1: The Commander, or in his or her absence the next higher officer, shall preside at all regular or special meetings of the Chapter. The Commander shall maintain order and dispatch such business as may legally come before him or her. All checks or vouchers issued by the Chapter Treasurer shall be co-signed by the Commander or another elected or appointed officer who is a signatory on the Chapter financial accounts. The Commander shall perform all other duties that may reasonably be assumed to be incidental to his 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 by the Chapter.

Paragraph 2: The Senior Vice Commander, Junior Vice Commander, Treasurer, and Chaplain, in the order named, shall perform the duties of the commander in the event of his or her absence.

Paragraph 3: In the event the office of Commander shall be vacated for any reason, the Senior Vice Commander shall be elevated to Commander, Jr. Vice Commander to Senior Vice Commander, and the Junior Vice Commander vacancy filled by election.

Paragraph 4: The Senior Vice Commander shall perform the duties of his or her station as set forth in the Official DAV Ritual. The Senior Vice Commander shall encourage friendship among the members of this Organization, discourage discord, and promote harmony. Subject to the direction of the Chapter, he or she shall act as Chairman of the Membership Committee to the end that every eligible veteran may become a member. With the approval of the Chapter, the Senior Vice Commander may appoint one or more members to assist in such membership activities.

Paragraph 5: The Junior Vice Commander shall perform the duties of his or her station as set forth in the Official DAV Ritual. The 1st Jr. Vice Commander shall be responsible for publicity, public relations, and the Chapter fund-raising activities as approved by the Chapter and shall, at all times, encourage loyalty to the United States of America, to the DAV, and to the members of the Chapter. The Jr. Vice Commander shall be responsible for obtaining guest speakers for Chapter meetings and special events.

Paragraph 6: The Chaplain shall perform the duties of the Chaplain's station as set forth in the Official DAV Ritual. He or she shall visit the sick and comfort the families of those members that pass away, and shall be responsible for encouraging attendance at DAV conducted funerals and the proper conduct thereof.

Paragraph 7: The Treasurer shall receive and immediately deposit all monies in a bank account in the name of the Chapter without any deductions or offsets. The Treasurer shall make authorized disbursements only by checks signed by himself and co-signed by the Commander or acting authorized official. No disbursement of Chapter funds shall be made without a completed Chapter voucher, and receipts (if applicable) attached. The Treasurer shall render a monthly report of receipts and expenditures to the Chapter at each regular Chapter meeting following the last day of each calendar month. An annual financial report shall be submitted to the Department of Virginia and National Organization within ninety (90) days after the close of the accounting year of the Chapter. This report shall have been audited and approved by the Chapter Audit Committee.

Paragraph 8: The Chapter Service Officer shall advise and assist veterans disabled in the line of duty, and their dependents and survivors, in the preparation and processing of their claims for benefits from any governmental agency. The Service Officer shall also be the point of contact for disabled veterans, dependents or survivors seeking emergency financial assistance; and shall be familiar with Chapter and Department policies, and promulgate the Chapter Assistance form and submit it to the Chapter Executive Committee for approval.

ARTICLE 7 – APPOINTED OFFICERS

Section 1: Appointed Officers

Paragraph 1: The Commander shall appoint, subject to the approval by the Chapter, the Adjutant, Committee Chairman and members, with the exception of the Nominating Committee, and such other officers as may be necessary to operate the Chapter.

Paragraph 2: The tenure of appointed officers shall be at the pleasure of the appointive power, provided that no term of office shall exceed that of the appointive power, except as otherwise expressly provided for elsewhere in these Bylaws.

Paragraph 3: The office of the Adjutant and Treasurer may be held by the same person. Neither the Commander nor any Vice Commander shall hold the office of Adjutant.

Section 2: Duties of Appointed Officers

Paragraph 1: The Adjutant is responsible for keeping the Chapter's records and conducting the Chapter's official correspondence. The Adjutant shall 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 member who make, second, or speak on motions. At each business meeting, the Adjutant should read all correspondence received between meetings, as well as the minutes of the preceding meeting and make sure that a motion of approval or rejection is passed. The Adjutant is responsible for the membership records and shall insure said records are current. The Adjutant shall insure that all Delegates going to National Convention have proper credentials. He or she will also be responsible for forwarding the Delegates names to National.

Paragraph 2: The Judge Advocate, upon the request of the Commander of the Chapter, shall render an opinion upon all parliamentary questions, upon any questions arising out of any dispute upon the floor of the assembly, or concerning the interpretation of this Constitution and Bylaws, or the National or Department organizations. Upon receipt of this opinion, the Commander (or presiding officer, if the Commander is not in his or her chair) shall announce his ruling or decision, which need not be in accordance with the opinion of the Judge Advocate. Such decision shall be final and binding upon the Chapter unless (1) overruled by a two-thirds vote of the members at the meeting during which the decision is announced, or (2) reversed upon an appeal taken to the next higher governing body within thirty (30) days after such decision is made known.

Paragraph 3: The Officer-of-the-Day shall perform the duties of his or her office as set forth in the Official DAV Ritual. The Officer-of-the-Day shall welcome all visitors and see that each is properly introduced.

Paragraph 4: The Sergeant-at-Arms and the Color Guards shall perform the duties of their respective offices as set forth in the Official DAV Ritual.

ARTICLE 8 – COMMITTEES

Section 1: Standing Committees

Paragraph 1: All standing committees shall meet at the call of the Chairman or Commander.

Paragraph 2: Committees shall consist of not less than three (3) no more than five (5) members (except as otherwise herein provided), including the Chairman, and shall be appointed by the Commander with the approval of the Chapter. The following committees will be standing Committees of the Chapter: membership, Budget & Finance, and Audit.

Paragraph 3: The Chapter Commander shall be an ex-officio member of all committees with the exception of the nominating committee.

Section 2: Duties of Standing Committees

Paragraph 1: Membership Committee

- (a) No applicant shall be denied Chapter membership if he or she meets the eligibility requirements as set forth in the National Constitution and Bylaws.
- (b) Members may secure a transfer of membership from one Chapter to another Chapter upon the approval of the receiving Chapter, who shall vote on accepting the member at a regularly scheduled meeting.
- (c) Dues in this Chapter shall be as the National Organization directs.

Paragraph 2: Budget & Finance Committee

- (a) The Budget & Finance Committee shall prepare an annual budget reflecting anticipated and projected expenditures.
- (b) The budget shall not provide for expenditures in excess of the estimated income for the fiscal year involved.
- (c) The proposed budget shall be submitted to the Chapter for approval at the first scheduled meeting of the fiscal year.
- (d) The expenditures contained in the approved budget of a recurring nature such as rent, Adjutant expenses, printing and office expenditures to include, but not limited to, accounts related to electronic newsletters or other communications, may be paid when due without further action from the Chapter.

Paragraph 3: Audit Committee

- (a) 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 of the financial records of the Treasurer in accordance with the Department of Virginia and the National Constitution and Bylaws.

Section 3: Special Committees

Special committees will be appointed by the Commander with the approval of the Chapter.

ARTICLE 9 – NOMINATING COMMITTEE

Section 1: The Nominating Committee shall consist of three (3) members elected by the Membership at the regularly scheduled March meeting.

Section 2: The Commander shall appoint Election Tellers prior to the Nominating Committee report.

Section 3: The Nominating Committee shall make its recommendations immediately prior to the scheduled election of Chapter Officers at the regularly scheduled meeting in April. Additional candidates may be nominated from the floor.

Section 4: It shall require a majority of votes to elect a candidate for any office.

Section 5: One nominating and one seconding speech may be permitted for each candidate.

Section 6: In the event more than two (2) candidates are nominated for the same office and one candidate does not receive a majority of the votes cast on the first ballot, the top two (2) candidates only will be eligible for subsequent balloting.

Section 7: All voting for officers shall be by written ballot, except by unanimous consent. Only members in good standing are eligible to vote on any motion or election.

Section 8: Elected and appointed officers shall be installed prior to the Department Convention each year at a time and place approved by the Chapter. They shall serve for one (1) year or until newly elected or appointed officers have been installed.

ARTICLE 10 – 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 11 – MEETINGS

Section 1: Chapter meetings shall be held at least six (6) times per year on a monthly basis unless otherwise approved by the Chapter. Unless circumstances mandate, meetings will not be held during the months of July and January. 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. In case of weather inclement enough to cause concern for the safety of members travelling to the meeting site, the Commander shall poll the Executive Committee; and if the majority agree, the meeting shall be cancelled in sufficient time to allow notification to the membership. The Executive Committee may decide to re-schedule the meeting, or defer business until the next regularly scheduled meeting.

Section 3: A special meeting may be called by the Commander whenever he or she may deem it necessary, or when requested in writing to do so by five (5) or more members in good standing in the Chapter. The call of any such special meeting shall specifically state the purpose for which it is called. No other business, not specified in the call, shall be transacted at the special meeting. Notice of such meeting shall be made to the membership at least five (5) days prior to the meeting date, by either telephone, USPS (United States Postal Service) mail, electronic mail (e-mail), or other electronic media currently employed by the Chapter.

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

RULE 1: The order of business at any regular meeting shall be prescribed in the Official DAV Ritual and as dictated by the needs of the Chapter.

RULE 2: A quorum shall consist of a majority of the elected or appointed officers and any members of the body in attendance.

RULE 3: Voting on main motions shall be by voice vote unless otherwise requested by at least five (5) members.

RULE 4: Robert's Rules of Order, Revised, will govern except as herein after specifically stated.

RULE 5: Discussion of personal grievances will not be in order on the floor unless brought out by the Grievance Committee.

RULE 6: Matters concerning an individual only, with respect to his own personal interest, shall not be in order but may be taken before the proper committee.

RULE 7: There shall be no voting by proxy. Only members in good standing and present shall be entitled to vote on any question.

ARTICLE 12 – INCORPORATION

Section 1: The Corporate Board of Directors, Disabled American Veterans, Skyline Chapter 30, Inc., shall consist of five (5) members, who shall be the following elected or appointed officers of the Chapter: The Commander shall be the President of the Corporation; the Senior Vice Commander shall be the Vice President; the Chaplain; the Treasurer shall be the Treasurer of the Corporation; and the Adjutant shall serve as the Secretary to the Corporate Board of Directors.

Section 2: The Board of Directors shall be subject to the vested powers of the Chapter and the Chapter Executive Committee. It shall be the duty of the Board of Directors to appoint a Registered Agent, maintain a Registered Office, and ensure all annual reports and fees are kept current with the Virginia State Corporation Commission. For this purpose or such other business that shall come before it, the Board of Directors shall meet annually immediately following the Chapter Officer installation.

ARTICLE 13 – MISCELLANEOUS

Section 1

Paragraph 1: These Bylaws 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 Advocate, and effective only after the date of this approval, provided that any such amendment is read at two (2) meetings and every attempt shall be made to notify all members of the proposed change, utilizing the current method in use by the Chapter to post meeting notices or other news for Chapter members prior to each of the (2) two meetings. Such notice may be by USPS, electronic mail, or social media developed and maintained by the Chapter.

Paragraph 2: A copy of this Constitution and Bylaws shall be properly affixed to the back of the framed Chapter Charter to prevent its loss and in order that it may always be available for reference.

Paragraph 3: 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 mandated, decisions and regulations of either the Department of Virginia 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

Except as otherwise expressly provided in the National Bylaws, the Chapter shall not sponsor or engage in, directly or indirectly, any fund-raising or finance projects without the prior approval of the Department of Virginia. Approval shall be requested on the form promulgated by, and in the manner specified by, the Department of Virginia. All fund-raising activities shall be conducted in accordance with Article 15 of the National Bylaws and Regulations of the National Executive Committee.

Section 3

The name of the Chapter or of the Disabled American Veterans (DAV) shall not be used in connection with any political, sectarian, or labor dispute nor in any matter not directly relating to wartime service-disabled veterans. However, nothing in this paragraph shall prohibit the Chapter from participating in political issues which have a direct bearing upon the welfare of America's disabled veterans, providing such participation is in a non-partisan manner and does not endorse or directly support any specific candidate for political office.

Section 4

Whenever used in this Constitution and Bylaws and the context so requires, the masculine shall include the feminine, and the singular shall include the plural, and vice versa. The initials DAV, whenever used in this Constitution and Bylaws, refers to the Disabled American Veterans.

Section 5

Emergency funding for Welfare & Relief shall be limited to service-connected disabled veterans, their dependents or survivors for not more than \$500.00. This assistance will be a one-time only grant, and may be approved by the Chapter Executive Committee, and affirmed by the Chapter at the next regularly scheduled meeting. Requests for assistance in excess of \$500.00 will be subject to Chapter approval and shall not exceed \$2000.00 for any one veteran dependent, or survivor.

Section 6

No funds of the Chapter shall be used in making loans or advances of any kind or character except as otherwise provided in these Bylaws.

Section 7

The Chapter shall, subject to budget approval, provided financial assistance for the Chapter Commander to attend the National DAV Convention as a Chapter delegate. A cash advance, not to exceed \$1000.00 is authorized. Receipts and a fully executed Chapter Expense Voucher shall be provided by the delegate to support all expenditures and excess monies shall be returned to the Chapter Treasurer within fifteen (15) days after the close of the National Convention. Authorized expenses include travel, lodging, registration fees and a per diem as authorized by the Chapter. In the event the Chapter Commander cannot attend, the official attendee shall be the Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, or Department Executive Committeeman, in that order. In circumstances where none of the Chapter elected officers are able to attend as the official representative of Chapter 10; the Commander, with the approval of the Chapter, may appoint any member in good standing to represent the Chapter at the National Convention.

Section 8

The Chapter shall, subject to budget approval, provide financial assistance for the Chapter Commander to attend the Department of Virginia Convention. Receipts and a fully executed Chapter Expense Voucher shall be provided by the delegate to support the expenditures within fifteen (15) days after the close of the National Convention. Authorized expenses include travel, lodging, registration fees and a per diem as authorized by the Chapter. In the event the Chapter Commander cannot attend, the official attendee shall be the Senior Vice Commander, Junior Vice Commander, Treasurer, Chaplain, in that order. In circumstances where none of the aforementioned elected officers are able to attend as the official representative of Chapter 10; the Commander, with the approval of the Chapter, may appoint any member in good standing to represent the Chapter at the Department of Virginia Convention.

Section 9

The Chapter may only send floral arrangements for deceased members who are in good standing at the time of their death.

Section 10

All disciplinary actions shall be handled in accordance with Article 16 of the National Bylaws.

First Reading: November 2, 2021

Second Reading: February 1, 2022

Mark Durland, Chair, C&B committee

*Adopted after the second and final reading by a vote of the
Chapter 30 membership this 1st day of February, 2022*

Wayne Godby
Adjutant, Chapter 30

Mark Durland
Commander, Chapter 30

Approved: _____, 20____

Approved: _____, 20____

Steven Combs
Department Judge Advocate

Michael E. Dobmeier
National Judge Advocate