

Constitution and By-Laws Department of Arizona 2019

SUBMITTED BY THE CONSTITUTION AND BYLAWS COMMITTEE,
ADOPTED BY THE GENERAL MEMBERSHIP AT THE 2019
DEPARTMENT CONVENTION WITH FINAL APPROVAL RECEIVED
BY THE NATIONAL JUDGE ADVOCATE

DAV

DEPARTMENT OF ARIZONA | 38 W DUNLAP AVE., PHOENIX, AZ 85021

Contents

CONSTITUTION	5
PREAMBLE	5
ARTICLE I – NAME	5
C-1.1: AUTHORITY FOR DEPARTMENT OF ARIZONA	5
C-1.2: ALLEGIANCE TO NATIONAL ORGANIZATION	5
ARTICLE II – PURPOSE	5
C-2.1: PURPOSE OF THE DEPARTMENT	5
ARTICLE III – MEMBERSHIP	6
C-3.1: GENERAL MEMBERSHIP ELIGIBILITY	6
C-3.2: HONORARY MEMBERS	6
C-3.3: COMPOSITION OF DEPARTMENT	6
C-3.4: MULTIPLE CHAPTER MEMBERSHIPS	6
C-3.5: TRANSFERRING MEMBERSHIP	6
C-3.6: DISCIPLINARY ACTION	6
ARTICLE IV – POWERS	7
C-4.1: POWERS	7
ARTICLE V – ADMINISTRATION	7
C-5.1: ADMINISTRATIVE AUTHORITY	7
C-5.2: EXECUTIVE AUTHORITY	7
C-5.3: SUPREME AUTHORITY	7
ARTICLE VI – AUXILIARIES	7
C-6.1: AUTHORITY TO RECOGNIZE	7
ARTICLE VII – AMENDMENTS	8
C-7.1: AUTHORITY TO AMEND	8
C-7.2: EFFECTIVE DATE OF AMENDMENTS	8
C-7.3: READING OF AMENDMENTS	8
BY-LAWS	9
ARTICLE I – ORGANIZATION	9
B-1.1: GOVERNING BODIES	9
B-1.2: RECORDS – INSPECTION	9
ARTICLE II – POLICY	9
B-2.1: NON-PARTISANSHIP	9
B-2.2: LEGISLATIVE ACTIVITIES	9
B-2.3: ENDORSEMENT OF NATIONAL EXECUTIVE COMMITTEEMAN	9
ARTICLE III – CONVENTIONS	10
B-3.1: TIME AND PLACE	10
B-3.2: ALTERNATE TIME AND PLACE	10
B-3.3: COMPOSITION	10
B-3.4: NUMBER OF DELEGATES AND VOTING	10
B-3.5: QUORUM	10
ARTICLE IV – CONVENTION COMMITTEES	11
B-4.1: STANDING COMMITTEES	11
B-4.1(a): CREDENTIALS COMMITTEE	11
B-4.1(b): COMMITTEE ON LEGISLATION AND VETERANS RIGHTS	11
B-4.1(c): COMMITTEE ON CONSTITUTION AND BY-LAWS	12
B-4.1(d): COMMITTEE ON FINANCE AND DUES	12
B-4.1(e): COMMITTEE ON EMPLOYMENT	12
B-4.1(f): Committee on Hospital and Voluntary Services – (DELETED at the 2018 Convention and approved by the National Judge Advocate on August 2, 2018)	12
B-4.1(g): COMMITTEE ON NOMINATION OF DEPARTMENT OFFICERS	12

B-4.1(h):	OTHER COMMITTEES AS NECESSARY:.....	13
B-4.2:	AVAILABILITY OF OFFICERS	13
B-4.3:	COMMITTEE ADVISORS.....	13
B-4.4:	COMMITTEE REPORTS.....	13
B-4.5:	RESOLUTIONS.....	13
B-4.6:	RECORDING OF RESOLUTIONS	13
B-4.7:	CONSIDERATION OF UNREPORTED RESOLUTIONS	14
B-4.8:	RESOLUTIONS TO NATIONAL	14
B-4.8(a)	DURATION OF MANDATES.....	14
B-4.9	PRE-CONVENTION S.E.C. MEETING	14
B-4.10:	SPECIAL CONVENTIONS.....	14
B-4.10(a):	SPECIAL CONVENTION VOTING STRENGTH.....	14
B-4.11:	ELECTION OF CHAPTER DELEGATES	14
B-4.12:	DEPARTMENT INTERIM CONVENTION COMMITTEE.....	15
B-4.13:	RESPONSIBILITY OF INTERIM CONVENTION COMMITTEE.....	15
ARTICLE V – POWERS.....		15
B-5.1:	POWERS, UNDESIGNATED	15
ARTICLE VI – OFFICERS		15
B-6.1:	ELECTED DEPARTMENT OFFICERS.....	15
B-6.2:	TERM OF OFFICE OF ELECTED OFFICERS	16
B-6.3:	DEPARTMENT ACCOUNTANT.....	16
B-6.4:	EMPLOYMENT POLICY.....	17
ARTICLE VII – DUTIES OF OFFICERS.....		17
B-7.1:	COMMANDER	17
B-7.1(a):	COMMANDER’S STANDING COMMITTEE APPOINTMENTS.....	18
B-7.1(b):	COMMANDER’S NATIONAL CONVENTION ATTENDANCE	18
B-7.1(c):	LIAISON OFFICERS OF COMMANDER	18
B-7.1(d):	SENIOR VICE COMMANDER	18
B-7.1(e)(1):	JUNIOR VICE COMMANDER	18
B-7.1(f):	STATE EXECUTIVE COMMITTEE MID-TERM MEETING	19
B-7.2:	DEPARTMENT TREASURER.....	19
B-7.2(a)	TREASURERS AS STATUTORY AGENT FOR FINANCE COMMITTEE.....	19
B-7.3:	DEPARTMENT INSPECTOR.....	20
B-7.4:	JUDGE ADVOCATE	20
B-7.5:	CHAPLAIN.....	21
B-7.6:	ADJUTANT	21
B-7.6(a):	INCIDENTAL DUTIES	21
B-7.7:	APPOINTED OFFICERS	21
B-7.8:	OFFICER OF THE DAY.....	22
B-7.8(a)	RITUAL TEAM COMMANDERS.....	22
B-7.9:	SERGEANT AT ARMS.....	22
B-7.10:	HISTORIAN	22
B-7.11:	PUBLIC RELATIONS OFFICER.....	22
B-7.12:	CHIEF OF STAFF OF THE DEPARTMENT	22
B-7.13:	COMMANDER, NATIONAL CONVENTION DELEGATION CHAIRMAN	22
B-7.14:	BONDING OF OFFICERS	23
B-7.15:	DISCIPLINARY ACTION – OFFICERS AND DELEGATES	23
B-7.15(a):	GRIEVANCE PROCEDURE.....	23
B-7.16:	THE PDC & A ASSOCIATION.....	23
B-7.17:	DEPARTMENT ACCOUNTANT DUTIES.....	24
B-8.1:	VACANCY OF COMMANDER AND OTHER OFFICERS	24
B-8.2:	VACANCY OF SENIOR VICE COMMANDER.....	24
B-8.3:	VACANCY OF DISTRICT LIAISON OR FINANCE COMMITTEE MEMBER.....	24
B-8.4:	VACANCY OF S.E.C. OR ALTERNATE.....	24
B-8.5:	REMOVAL OF ELECTED OFFICERS.....	25
ARTICLE IX – 1.....		25

B-9.1:	STATE EXECUTIVE COMMITTEE.....	25
B-9.2:	ELECTION OF STATE EXECUTIVE COMMITTEE MEMBERS.....	25
B-9.3:	S.E.C. VOTE FOR BUDGETARY CHANGES.....	25
B-9.4:	S.E.C. VOTE BY MAIL-OUT BALLOT.....	25
ARTICLE X –	DEPARTMENT FINANCE COMMITTEE.....	26
B-10.1:	DEPARTMENT FINANCE COMMITTEE.....	26
B-10.2:	VACANCY ON THE FINANCE COMMITTEE.....	26
B-10.3:	CHAIRMAN AND FINANCE COMMITTEE DUTIES.....	27
B-10.3(a):	DEPARTMENT ASSESSMENT COMMITTEE.....	27
B-10.4:	CHAPTER FINANCIAL REPORTS.....	27
B-10.5:	DEPARTMENT EQUIPMENT.....	28
B10.6:	FUND RAISING APPROVAL POWERS.....	28
ARTICLE XI –	FINANCE.....	28
B-11.1:	FISCAL YEAR.....	28
B-11.3	DEPOSIT OF FUNDS AND PAYMENTS.....	29
B-11.3A:	PURCHASING, REFINANCING OR LEASING OF BUILDINGS, LAND AND OTHER VACANT PROPERTY.....	29
B-11.4:	PROHIBITION ON BINDING DEPARTMENT.....	29
B-11.5:	CHAPTER AND AUXILIARY FUND RAISING PROGRAMS.....	30
B-11.6	DEPARTMENT SERVICE ACCOUNT.....	30
B-11.7:	[Deleted].....	30
B-11.8:	AUTHORITY TO ASSESS.....	30
B-11.8(a):	REPORTING PERIODS FOR ASSESSMENTS.....	30
B-11.8(b):	TWO LARGEST FUND RAISERS PER QUARTER.....	30
B-11.9:	AUTHORITY TO CONDUCT FUND RAISING.....	31
B-11.10:	DEPARTMENT OF ARIZONA REHABILITATION FUND.....	31
B-11.11:	APPROVAL OF CHAPTER AND AUXILIARY FUND RAISING.....	31
B-11.12:	CHAPTER BAR OR LOUNGE OPERATION.....	32
B-11.13:	OFFICERS AUTHORIZED COMPENSATION FOR SERVICES RENDERED.....	32
B-11.14:	DISBURSEMENT OF FUNDS REQUIRING DOCUMENTATION.....	32
ARTICLE XII –	CHAPTER CHARTERS.....	33
B-12.1:	CHARTERS.....	33
B-12.2:	SUSPENSIONS OR REVOCATIONS.....	33
ARTICLE XIII –	DEPARTMENT SERVICE PROGRAM.....	33
B-13.1:	PURPOSE.....	33
B-13.2:	COMPOSITION.....	33
B-13.2(a):	DISTRICT REPRESENTATION.....	33
B-13.3:	TENURE AND CONDITION OF MEMBERS.....	34
B-13.4:	POWERS.....	34
B-13.4(a)	OPERATIONAL SUPERVISION.....	34
B-13.4(b)	INSTRUCTIONAL SERVICE TRAINING.....	34
B-13.5:	MEETINGS.....	34
B13.5 (a):	MILEAGE AND PER DIEM.....	34
B-13.6:	FINANCIAL RESPONSIBILITY.....	35
B-13.6 (a):	DISBURSEMENT OF FUNDS.....	35
B-13.7:	POLICIES.....	35
B-13.7 (a):	RECORDS.....	35
ARTICLE XIV –	DISTRICTS.....	35
B-14.1:	DISTRICTS.....	35
B-14.2:	ELECTION OF DISTRICT LIAISONS.....	35
ARTICLE XV –	NON-PROFIT CORPORATION.....	36
B-15.1:	INCORPORATION.....	36
ARTICLE XVI –	RULES OF ORDER.....	36
B-16.1:	RULES.....	36
ARTICLE XVII –	AMENDMENTS.....	36
B-17.1:	CONVENTION AMENDMENTS.....	36

B-17.2: READING OF AMENDMENTS.....	36
B-17.3: APPROVED AMENDMENTS	36
B-17.4.....	37
REGULATIONS.....	37
SECTION 1 - ORGANIZATION	37
SECTION 2 - POLICIES.....	37
R-2.1: DEPARTMENT NEWSLETTER	37
R-2.2: DEPARTMENT NEWSLETTER SUBSCRIPTION FEE	37
R-2.3: FUNDS FROM GOLDEN CORRAL VETERANS DAY PROGRAM	38
R-2.4 RELIGIOUS BIBLES (Removed By Order of the National Judge Advocate 5/7/2018.)	38
R-2.5 DEPARTMENT ADMINISTRATIVE AID	38
SECTION 3 - CONVENTIONS.....	38
SECTION 4 - CONVENTION COMMITTEES.....	38
SECTION 5 – POWERS.....	38
SECTION 6 - OFFICERS	38
R-6.1: INSTALLATION OF OFFICERS.....	38
R-6.2: LIMITATION ON OFFICES HELD.....	39
SECTION 7 - DUTIES OF OFFICERS.....	39
R-7.1: ADJUTANT CANNOT BE ELECTIVE OFFICER	39
R-7.2: DUTIES OF DEPARTMENT ADMINISTRATIVE AIDE	39
R-7.3: QUARTERLY REPORT TO THE STATE EXECUTIVE COMMITTEE	39
SECTION 8 - VACANCIES IN OFFICE.....	40
R-8.1: INSTALLATION OF S.E.C OR ALTERNATE S.E.C. FOLLOWING VACANCIES	40
SECTION 9 - STATE EXECUTIVE COMMITTEE	40
SECTION 10 - DEPARTMENT FINANCE COMMITTEE	40
R-10.1: AUTHORITY TO SANCTION SUBORDINATE UNITS	40
R-10.2: TREASURERS AS STATUTORY AGENT FOR FINANCE COMMITTEE	40
SECTION 11 – FINANCE.....	41
R-11.1: MILEAGE AND PER DIEM.....	41
R-11.1(a): “MILEAGE RATE FOR REIMBURSEMENT”	41
R-11.1(b): “ROOM RATE FOR REIMBURSEMENT, MID-TERM CONVENTION”	41
R-11.2: PDC’s REGISTRATION AND BANQUET FEES.....	41
R-11.2(a) WAIVER OF REGISTRATION FEES FOR DELEGATES AGE 80	41
R-11.3: CAUCUS ROOM AT NATIONAL CONVENTIONS	42
R-11.4: APPROVAL FOR/OR NOTIFICATION OF FUND RAISERS	42
R-11.5: GUIDE FOR USE OF SERVICE FUNDS FOR VTN VANS.....	42
SECTION 17 – AMENDMENTS.....	43
R-17.1: AMENDMENTS BY CONVENTION (REGULATIONS).....	43
R-17.2: AMENDMENTS BY MAIL OUT BALLOT (REGULATIONS)	43
SECTION 18 – STANDARD OF CONDUCT	43
R-18.1: Standard of Conduct	43

Section 1: Constitution

CONSTITUTION

PREAMBLE

For God and Nation, and for our commonwealth, 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 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 dependents.

ARTICLE I – NAME

C-1.1: AUTHORITY FOR DEPARTMENT OF ARIZONA

Under the Authority of the National Constitution and By-laws of the Disabled American Veterans, there has been, and is hereby established, the Disabled American Veterans, Department of Arizona.

C-1.2: ALLEGIANCE TO NATIONAL ORGANIZATION

The Disabled American Veterans, Department of Arizona acknowledges its allegiance to and the affiliation therewith to the national organization of the Disabled American Veterans and subscribes to the jurisdiction of said organization.

ARTICLE II – PURPOSE

C-2.1: PURPOSE OF THE DEPARTMENT

The purpose of the Disabled American Veterans, Department of Arizona, shall be 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 interest 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 comradeship 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.

Section 1: Constitution

ARTICLE III – MEMBERSHIP

C-3.1: GENERAL MEMBERSHIP ELIGIBILITY

Any man or woman who was wounded, gassed, injured or disabled in the line of duty during the 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 periods, who are American citizens and who are honorably discharged, are also eligible.

C-3.2: HONORARY MEMBERS

The Disabled American Veterans shall not have honorary members.

C-3.3: COMPOSITION OF DEPARTMENT

The Disabled American Veterans, Department of Arizona, shall consist of all Chapters within the State of Arizona which have been duly chartered as such according to the provisions of the National Constitution of the Disabled American Veterans.

C-3.4: MULTIPLE CHAPTER MEMBERSHIPS

No member shall hold membership in more than one (1) Chapter in the State of Arizona.

C-3.5: TRANSFERRING MEMBERSHIP

Any member may secure transfer of his membership to another Chapter with the approval of the receiving Chapter. No transfer shall take effect as to dues credit or voting strength until the beginning of the membership year following completion of the transfer. All rights of membership in a Chapter shall become effective upon approval of the transfer by the receiving Chapter.

C-3.6: DISCIPLINARY ACTION

All disciplinary action against a member shall be subject to the procedure as outlined under Article XVI of the National By-laws.

Section 1: Constitution

ARTICLE IV – POWERS

C-4.1: POWERS

To have perpetual succession, with power to sue and 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 its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, By-laws and regulations to carry on its purpose not inconsistent with the laws of the United States or any state; to use, in carrying out the purposes of the corporation, such emblems and badges as it may adopt to establish and maintain offices for the conduct of its business; to establish local Chapter organizations; to publish a newspaper or other publication devoted to the purposes of the corporation and generally to do any and all such things and acts as may be necessary and proper in carrying into effect the purposes of the corporation.

ARTICLE V – ADMINISTRATION

C-5.1: ADMINISTRATIVE AUTHORITY

The administrative affairs of the Department of Arizona shall be vested in the Department Executive Committee. (Amended by 1998 convention, Approved by National Judge Advocate on 6-15-98)

C-5.2: EXECUTIVE AUTHORITY

The executive powers of the Department of Arizona shall be vested in the Department Commander.

C-5.3: SUPREME AUTHORITY

The supreme legislative power of the Department of Arizona shall be vested in the Department Convention composed of all elective officers and duly elected delegates to the convention.

ARTICLE VI – AUXILIARIES

C-6.1: AUTHORITY TO RECOGNIZE

The Department of Arizona recognizes all Units of the Auxiliary of the Disabled American Veterans as Auxiliary Units, subject to its supervision and control, but only to the extent as expressly provided for in the National Constitution and By-laws of the Disabled American Veterans.

Section 1: Constitution

ARTICLE VII – AMENDMENTS

C-7.1: AUTHORITY TO AMEND

This constitution may be amended at any Department Convention by a majority vote of the regularly elected and qualified delegates thereat, if and when three-fourths of the several Chapters then in existence and in good standing shall have ratified the proposed amendments which ratification must take place prior to the next Department Convention.

C-7.2: EFFECTIVE DATE OF AMENDMENTS

No amendment to this Constitution shall become effective until approved by the National Judge Advocate.

C-7.3: READING OF AMENDMENTS

This Constitution may be amended at any Department Convention providing that such proposed amendment shall have been read to the convention at least one calendar day prior to voting.

Section 2: By-Laws

BY-LAWS

ARTICLE I – ORGANIZATION

B-1.1: GOVERNING BODIES

The governing bodies of this Department shall be the Department Convention, the State Executive Committee and the Chapters in the State of Arizona.

B-1.2: RECORDS – INSPECTION

Each such body shall keep records of its proceedings for seven continuous years, which shall be open for inspection to all members in good standing. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

ARTICLE II – POLICY

B-2.1: NON-PARTISANSHIP

This organization shall be non-political and non-sectarian and the name of the organization or name of any unit thereof shall not be used in representing the desires or wishes of its membership in any political, sectarian or labor dispute, except as hereinafter provided; and provided however, that the foregoing shall not prevent this organization or any unit thereof from participating in political issues which have a direct bearing on the welfare of America's disabled veterans.

B-2.2: LEGISLATIVE ACTIVITIES

No member may appear before any legislative body, speaking in the name of the organization, contrary to any resolution of the organization then in effect.

B-2.3: ENDORSEMENT OF NATIONAL EXECUTIVE COMMITTEEMAN

When a National Executive Committeeman and/or Alternate is due the Department, the National Executive Committeeman and/or Alternate shall be endorsed at the Department Convention.

Section 2: By-Laws

ARTICLE III – CONVENTIONS

B-3.1: TIME AND PLACE

The Department Convention shall be held between May 15th and July 15th, annually. The time and place of the convention to be determined by a majority vote of the duly elected and authorized representatives of a convention body voting and present at the preceding Department Convention or Mid-Winter Conference Convention. (Amended at 2008 convention, approved by National Judge Advocate 7-01-08) (Amended at 2013 convention, approved by National Judge Advocate 8/27/2013)

B-3.2: ALTERNATE TIME AND PLACE

In the event such designated convention cannot be held as voted at the preceding convention or preparation and/or facilities are not adequate, the State Executive Committee shall designate the time and place of the Department Convention.

B-3.3: COMPOSITION

The Department Convention shall be composed of the following: all elected and installed Department Officers and State Executive Committeemen, Past Department Commanders and all Chapters, represented by a delegation. Chapters shall be entitled to one vote for each ten (10) members or a major portion thereof in good standing on at least the 15th day immediately preceding the opening day of the Department Convention, providing the Chapter is not indebted to the Department, without exception. Providing further, that the Chapter has filed a financial statement for the preceding year with the Department Treasurer within ninety (90) days after the close of the accounting year.

B-3.4: NUMBER OF DELEGATES AND VOTING

Each elected Department Officer, each Past Department Commander of Arizona if registered as such, each State Executive Committeeman and each duly accredited Chapter delegate in good standing shall be entitled to vote; also, there shall be one vote for each Chapter so represented. In case any delegation is entitled to cast more votes than the number of delegates present, the vote of those absent shall be cast in the same proportion as the votes of those present. Any non-delegate member shall first obtain the majority consent of the convention to speak on the floor.

B-3.5: QUORUM

A quorum shall exist when a majority of the Chapters in good standing in the Department are present and registered.

Section 2: By-Laws

ARTICLE IV – CONVENTION COMMITTEES

B-4.1: STANDING COMMITTEES

The Interim Committees shall be the Standing Committees of the Convention. They shall elect their own chairman except as otherwise provided. They shall meet at the call of the Convention, the Department Commander, the chairman of the committee, or the committee advisor. Each committee secretary shall notify all committee members and the Department Adjutant as to the time and place of each meeting. Each committee chairman shall report the conclusions of his committee in writing and return all resolutions to the Department Adjutant for the purpose of eliminating duplication and contradictions, and for the purpose of having partial or final committee reports placed on the convention agenda. Each committee chairman shall present his committee's report to the Convention when called for by the Chair, the report to be signed by a majority of the committee. A committee advisor may be assigned to each committee because of his knowledge of the subject under consideration. He is authorized to attend meetings of the committee and enter into committee discussions with the privilege of voting. He must attend the first meeting of the committee, and is subject to the call of the committee for advice or counsel. (Amended at 2018 State convention, approved by National Judge Advocate August 2, 2018)

B-4.1(a): CREDENTIALS COMMITTEE

This Committee, composed of one member from each of the Chapters, shall in accordance with the provisions of these By-laws and the Convention Rules determine the eligibility of all persons seated and voting in the Department Convention and shall specifically notify the Convention and the delegates as to the number of votes to which delegation shall be entitled. A Credentials Committee Chairman and Vice-chairman shall be appointed at least 30 days prior to the convention. Said committee shall prepare an official roll call showing the number of votes in the convention, together with the number of votes allocated to each Chapter delegation. The final report of the Credentials Committee shall be read no later than 10:00 a.m., on the last day of the convention.

B-4.1(b): COMMITTEE ON LEGISLATION AND VETERANS RIGHTS

This Committee shall consider all resolutions proposing or requiring legislation on compensation, pensions, legal and guardianship matters and appeals, as well as on all matters of policy and procedure with the United States Department of Veterans Affairs, including problems involving NSL Insurance. It shall consider all resolutions requiring legislation on compensation, pensions, legal and guardianship matters, appeals, and all other matters in which other public and private agencies charged with the rehabilitation and improvement of the disabled veterans and his dependents are concerned.

Section 2: By-Laws

B-4.1(c): COMMITTEE ON CONSTITUTION AND BY-LAWS

This Committee shall elect its own Chairman. The Committee shall give consideration to those resolutions which pertain to proposed amendments to the National Constitution, the National By-laws, the National Ritual, the Department Constitution and By-laws, and also all matters relative to all auxiliaries of the Disabled American Veterans. All proposed amendments thereto shall be read to the Convention no later than the day prior to the scheduled day of adjournment of the Convention, and voting thereon shall begin no less than four hours after first reading, and only upon completion of second reading.

B-4.1(d): COMMITTEE ON FINANCE AND DUES

This Committee shall consider those resolutions dealing with DAV finances and dues.

B-4.1(e): COMMITTEE ON EMPLOYMENT

This Committee shall consider all matters with reference to all forms of employment of disabled veterans as well as preference rights in examination, appointments, retention, promotions or employment or reemployment rights in Federal Civil Service and in state, county, and city governments. This Committee will also consider matters relating to vocational rehabilitation, education and training, except those provided by Title 38, U.S. Code.

B-4.1(f): Committee on Hospital and Voluntary Services – (DELETED at the 2018 Convention and approved by the National Judge Advocate on 8/2/2018).

B-4.1(g): COMMITTEE ON NOMINATION OF DEPARTMENT OFFICERS

This committee shall consider and present to the Department Convention a slate of candidates it shall nominate for department officers. The committee shall consist of five (5) delegates, who will be appointed by the Department Commander. The committee will elect its own chairman. The committee shall meet on the first business day of the Department Convention to interview any member who desires a Department office. They will continue to interview candidates every day of the convention until the day of election. The committee may convene at any time at the call of the Chairman. The committee will give its report on the day of election immediately after the final report of the credential committee before nomination from the floor is open. (Adopted at 1999 convention, approved by National Judge Advocate 7-9-99)

Section 2: By-Laws

B-4.1(h): OTHER COMMITTEES AS NECESSARY:

This Committee shall consider all matters which are not covered by the resolutions referable to other committees of this Convention, and shall formulate and give expressions of thanks, appreciation and condolences, in resolution form, and shall consider housing problems as they may affect disabled veterans. It shall consider all matters referred to it which pertains to Citizenship, Americanism, National Defense or the Security of the United States. (Amended at the 2018 Convention, approved by the National Judge Advocate 8/2/2018.)

B-4.2: AVAILABILITY OF OFFICERS

All Department elective officers and employees, and members of permanent convention committees are subject to call during committee sessions.

B-4.3: COMMITTEE ADVISORS

The Department Commander, with approval of the State Executive Committee, shall appoint Committee advisors. Committee advisors shall be appointed no later than the first business session or any time prior thereto.

B-4.4: COMMITTEE REPORTS

Convention Committee reports must be submitted resolution by resolution and not briefed to cover the entire report.

B-4.5: RESOLUTIONS

All resolutions must be received by the Department Adjutant at least thirty (30) days prior to the annual Convention, typewritten, double spaced, in triplicate, except resolutions originating out of a Convention or Interim Committee. The Adjutant is responsible to number resolutions and assign to the appropriate committee. All approved Chapter resolutions must be signed by the sponsoring Chapter's Adjutant.

B-4.6: RECORDING OF RESOLUTIONS

Resolutions presented to the Department Convention are to be recorded in the convention proceedings verbatim.

Section 2: By-Laws

B-4.7: CONSIDERATION OF UNREPORTED RESOLUTIONS

Resolutions not favorably reported by a convention committee may be called up for consideration by the sponsor.

B-4.8: RESOLUTIONS TO NATIONAL

The Adjutant, upon approval of any resolution(s) requiring National action, shall forward in triplicate such resolution(s) to the National Adjutant within fifteen (15) days of close of the Convention.

B-4.8(a) DURATION OF MANDATES

Mandates and resolutions adopted at each Department Convention shall be effective only until the next Department Convention. (Adopted at 2003 convention, approved by National Judge Advocate 6-20-03)

B-4.9 PRE-CONVENTION S.E.C. MEETING

The State Executive Committee shall meet prior to the day of the official opening of the Department Convention and shall prepare the rules and regulations to govern the Convention, and be presented to the Convention body for approval. They shall also review all financial or controversial matters pertaining to the Department or the Chapters from the preceding year.

(Amended by 1998 convention, Approved by National Judge Advocate on 6-15-98)

B-4.10: SPECIAL CONVENTIONS

A special convention shall be called by either the Department Commander or the State Executive Committee upon the written demand of a majority of the Chapters. Said convention shall be called within thirty (30) days of receipt of said majority vote and notification thereof sent to all Chapters at least twenty (20) days prior to special convention by the Department Adjutant (via Certified Mail).

B-4.10(a): SPECIAL CONVENTION VOTING STRENGTH

The voting strength at a special convention shall be the same as prescribed for the annual Department Convention.

B-4.11: ELECTION OF CHAPTER DELEGATES

Chapter delegates to the Department Convention shall be elected by the respective Chapters within the sixty (60) days immediately prior to the convention and a copy of the accredited delegates shall be furnished to the Department Credentials Committee by the Chapter seven (7) days or more prior to the opening of the convention.

Section 2: By-Laws

B-4.12: DEPARTMENT INTERIM CONVENTION COMMITTEE

There shall be a Department Convention Committee composed of five (5) members in good standing, preferably one from each District and one at large, and one from the State Aux. (DAVA). (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at the 2012 Convention, approved by National Judge Advocate 5/7/18)

B-4.13: RESPONSIBILITY OF INTERIM CONVENTION COMMITTEE

The Department Convention Committee shall provide bids for three (3) future conventions and maintain contact with hotels that are selected as sites of future conventions provided they meet Federal barrier standards. The Committee shall review all convention agreements and contracts for approval of the State Executive Committee before they are signed by two Committee members. The Committee will work in close concert with the Commander and Finance Committee to provide that the best possible convention arrangements are made within budgetary constraints. At a time no later than the Department Mid-term Executive Committee meeting preceding the proposed convention, the Committee shall have determined that all physical, clerical, and financial arrangements are satisfactory for this Organization's needs. The Department Convention Committee shall have the responsibility to act as host at any location within the State of Arizona. Amended at the 2017 Convention, approved by the National Judge Advocate 5/7/2018)

ARTICLE V – POWERS

B-5.1: POWERS, UNDESIGNATED

All legislative, administrative and executive matters not otherwise specifically covered by the provisions of the Constitution, By-laws and Regulations of the organization or by any enactment of the Department Convention shall be determined by the State Executive Committee. The Committee may adopt regulations and statements of policy to effectuate both the intent of its determinations and the intent of these By-laws.

ARTICLE VI – OFFICERS

B-6.1: ELECTED DEPARTMENT OFFICERS

The Department convention shall elect a Department Commander, a Senior Vice Commander, a Junior Vice Commander, a Department Treasurer, a Department Judge

Section 2: By-Laws

Advocate, a Department Inspector, and three (3) Department Finance Committeemen, two (2) Department District Liaisons and one (1) Executive Committeeman and Alternate State Executive Committeeman to be elected by each Arizona DAV Chapters. The election of the three Finance Committeemen will be in accordance with Article X, Section 10.1. The election of the Department District Liaisons will be in accordance with Article XIV, Section 14.2. The Junior Vice Commander may be assigned duties delegated by the Department Commander deemed necessary to carry on the mission of the DAV Department of Arizona. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04) (Amended at 2016 convention, approved by National Judge Advocate 8-25-16) (Amended at 6/8/2017 Convention and approved by the National Judge Advocate 5/7/2018)

B-6.2: TERM OF OFFICE OF ELECTED OFFICERS

Para.1: The elected Department Officers and the Department State Executive Committee Members shall be installed prior to the adjournment of the Department Convention at which they were elected, and shall hold their respective offices until their successors have been installed. Installation of State Executive Committee Officers at Chapter installations are purely ceremonial and do not affect their term of office. (Amended at 2009 convention, approved by National Judge Advocate 9-21-09)

Para.2: In the event of the removal of the Department Commander from office, or his or her death, resignation, or inability to discharge the duties of his or her office, the same will devolve upon the Department Senior Vice Commander; and in the case of removal of both the Department Commander and Department Senior Vice Commander, the duties of office shall devolve upon the Department Junior Vice Commander. The inability of any such officer to discharge such duties, or following such inability, whether he or she is sufficiently recovered to resume such duties, shall be determined by two-thirds (2/3) vote of the State Executive Committee.

Para.3: Vacancies in the office of Department Treasurer, Department Inspector, Department Judge Advocate, or Department Chaplain between conventions by reason of death, resignation, or removal or other reasons shall be filled by the Department Commander who will appoint an individual to fill the vacancy upon approval of the State Executive Committee. Vacancies in the office of District(s) Commander or Finance Committee members shall be filled by a vote of the District(s) affected. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

B-6.3: DEPARTMENT ACCOUNTANT

The Department may hire a Department Accountant to assist in the overall accounting operations of the Department Headquarters office. The Department Accountant's position

Section 2: By-Laws

will not be filled by election, but rather by direct hire of the Line Officers and Finance Committee in existence at the time. Individuals who are service connected disabled veterans will be given primary consideration for the position. If the Line Officers and Finance Committee do not find a qualified veteran, then a non-veteran outside of the DAV can be hired for this position. It is up to the Line Officers and Finance Committee in existence at the time to make the final decision as to who will be hired. The Department Accountant shall be compensated for services as authorized by the Department Finance Committee and approved by vote at the convention. The Department Accountant shall report directly to the Department Treasurer. The Department Accountant will assure continuity of the operations in the accounting and financial affairs of the Department Headquarters during any and all elected officer transitions. He or she will be a non-elected officer of this organization with voice but no vote on all committees or forums he or she may serve. (Adopted at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04) (Amended at 2011 convention, approved by National Judge Advocate 8/29/2011)

B-6.4: EMPLOYMENT POLICY

Preference shall be given to members of the DAV, this spouses, dependents, or survivors in the selection of employees by the Department of Arizona (Amended at 2011 convention, approved by National Judge Advocate 8/29/2011)

ARTICLE VII – DUTIES OF OFFICERS

B-7.1: COMMANDER

The Department Commander is the Executive Officer of the Department and shall preside at all regular meetings or special meetings of the Department, maintain order, and dispatch such business as may legally come before him. All checks and vouchers issued by the Department Treasurer must be countersigned by him, or he may delegate such authority to the Department Senior Vice Commander or Junior Vice Commander. He shall perform all other duties that may be reasonably assumed to be incidental to his office or such as are delegated to him by the State Executive Committee. He shall have the power to call special and regular meetings of all standing committees, as mandated by floor vote at Department Conventions or changes in the National Constitution and/or By-laws. The Department Commander may succeed him or her self, for one (1) additional term, if elected to a second term. A Department Commander who served a partial term by reason of ascension, such partial term will not be considered that Commander's first year in office. (Amended at 1999 convention, approved by the National Judge Advocate 7-9-99) (Amended at the 2018 Convention, approved by the National Judge Advocate 8/2/2018).

Section 2: By-Laws

B-7.1(a): COMMANDER'S STANDING COMMITTEE APPOINTMENTS

The following standing committees, with the approval of the State Executive Committee, shall be appointed by the incoming Commander within thirty (30) days of taking office: Legislative and Veterans Rights, Convention Committee, Employment, Membership, Constitution and By-laws and "Audit" (see National Constitution and Bylaws Committee, Section 8.4 Para. 1) He may appoint other committees he deems advisable to further the best interest of the Disabled American Veterans. All committees will elect a chairman at the first meeting held unless otherwise designated. He shall be an ex-officio member of all committees except a committee having anything to do with the selection of future Department Officers. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at the 2012 convention, approved by National Judge Advocate 6-28-2012) (Amended at the 2015 convention, approved by the National Judge Advocate)

B-7.1(b): COMMANDER'S NATIONAL CONVENTION ATTENDANCE

The Department Commander shall arrive and be registered at the National Convention of the Disabled American Veterans in advance of the Convention's National District Meeting. (Amended at 1999 convention, approved by National Judge Advocate 7-9-99)

B-7.1(c): LIAISON OFFICERS OF COMMANDER

A District Liaison shall be liaison between the Department Commander and the Chapters in the District from which elected. He shall be instructed by the Department Commander on matters relating to the betterment of Chapters in his District.

B-7.1(d): SENIOR VICE COMMANDER

The Senior Vice Commander shall be the Chairman of the Department Service Commission. The Senior Vice Commander may be assigned additional duties as delegated by the Department Commander deemed necessary to carry on the mission of the DAV Department of Arizona. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05)

B-7.1(e)(1): JUNIOR VICE COMMANDER

The Department of Arizona Junior Vice Commander shall be the Chairman of the Convention Committee and adhere to Article IV, Sections 4.1(a) and 4.1(b). The Department of Arizona Junior Vice Commander shall be the Chairman of the Convention Book Committee. He shall be responsible to collect advertisement funds and turn them over to the Department Treasurer. The Department Junior Vice Commander may be

Section 2: By-Laws

assigned additional duties as delegated by the Department Commander to carry on the mission of the DAV Department of Arizona. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Adopted as revised by the 2004 Convention and approved by the National Judge Advocate 6-22-04) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05) (Amended at 2017 Convention, approved by National Judge Advocate 5/7/2018)

B-7.1(f): STATE EXECUTIVE COMMITTEE MID-TERM MEETING

The Department Commander shall call a Department Mid-term State Executive meeting in the month of January or February, if necessary and notification thereof, time and place sent to all Executive Committee Members, Alternates and Chapters fifteen (15) days prior to said meeting. All members wishing to speak at any State Executive Committee meeting are to be introduced by their respective Chapter State Executive Committee Member. (Adopted at 1999 convention, approved by National Judge Advocate 7-9-99) (Amended at the 2006 convention, approved by National Judge Advocate)

B-7.2: DEPARTMENT TREASURER

The Department Treasurer will be the fiduciary officer, and in his custody, will be placed all funds, securities, and valuable papers. He shall deposit all funds for the Department, within seventy-two (72) hours of receipt; he shall make authorized disbursements by checks which have been countersigned by the Commander or the Department Senior Vice Commander, or Junior Vice Commander. He shall also be authorized to disburse funds by Department Credit Card in accordance with Article B-11.3 (Deposit of Funds and Payments.) He shall keep a system of accounts approved by the Department Finance Committee and shall preserve all records, receipts, and vouchers for payment made. He shall render a monthly report to the Finance Committee, a quarterly report to the State Executive Committee and an audited annual report to National Headquarters. The Department Treasurer shall be compensated for services as authorized by the Department Finance Committee and approved by vote at the Convention. He shall obtain bond in the amount stipulated by the Department Finance Committee. He shall prepare and retain records as required by the Internal Revenue Service. He shall maintain an inventory of all Department property and equipment. (Amended at the 2014 Convention signed by the National Judge Advocate 9/26/2014) (Amended at the 2017 Convention signed by the National Judge Advocate 5/7/2018)

B-7.2(a) TREASURERS AS STATUTORY AGENT FOR FINANCE COMMITTEE

The Department Treasurer will serve as the Statutory Agent for the Department Finance Committee. All communications, vouchers, checks or other instruments of business which requires the Department Finance Committee's action or approval, shall be addressed and mailed to the Department Treasurer at the Department Headquarters Office. The Treasurer

Section 2: By-Laws

will review all communications, vouchers or other instruments of business received between Finance Committee meetings and will insure they are presented to the Finance Committee Chairman for committee action at the next meeting. All checks or funds sent to the Finance Committee must be deposited by the Treasurer in compliance with Article 7.2 of the By-laws. Any communication requiring immediate action will be handled by the Treasurer by notifying the Finance Chairman as soon as possible for resolution by the Committee.

(Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99)
(Amended to Bylaws from Regulations 2003 convention, approved by National Judge Advocate 6-20-03)

B-7.3: DEPARTMENT INSPECTOR

The Department Inspector shall, under the written direction of the Department Commander, upon good cause investigate any alleged violation of Chapter, Department or National Constitution and By-laws, including but not limited to occurrences which may impugn the integrity or reputation of this organization. He shall also inspect and/or audit the books, records, and accounts of a Chapter as directed by the Department Commander. Upon completion of an investigation, inspection or audit, the Department Inspector shall render a written report of his findings and recommendations to the Department Commander. While acting in his capacity, the Inspector shall have the full authority of the Department Commander as it relates to the issues involved while performing his investigation. The Commander will report the findings of the Department Inspector with his final resolve. However, if under very rare and extreme circumstances and in the judgment of the Department Inspector, further delay would cause irrefutable harm to the Disabled American Veterans and the Department of Arizona the Inspector may implement direct orders at the time of the inspection to cease and desist any illegal, abusive, or detrimental action immediately, as if so directed by the Department Commander. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) Amended at 2003 convention, approved by National Judge Advocate 6-20-03) Amended at 2008 convention, approved by National Judge Advocate 7-1-08)

B-7.4: JUDGE ADVOCATE

The Judge Advocate shall be the legal advisor of the Department. He shall, upon request of the Department Commander, the State Executive Committee or a Department Convention, render his opinion of all questions directly concerning the Department and as to disputes between or within the Chapters. He shall also act as Parliamentarian at the Department Convention and send forward from the Department to National for approval within thirty (30) days, all Chapter Constitutions and By-laws, and amendments thereto. He shall serve as the Department Constitution and By-laws advisor.

Section 2: By-Laws

B-7.5: CHAPLAIN

The Chaplain shall perform such duties as prescribed in the official ritual of the National Organization; he shall attend and, whenever requested, officiate at the funerals of deceased comrades, prepare and conduct a memorial service at the Department Convention in cooperation with the Department Auxiliary Chaplain, and shall render other services as might be incumbent upon his office.

B-7.6: ADJUTANT

The Adjutant shall be the custodian of records from all business conducted by the Department. Correspondence of non-recurring nature only, two or more years old, which have been completed may be surveyed by the Adjutant and destroyed. He shall route or open, as necessary; all correspondence received and directs same to the responsible officer or committee. He shall prepare all necessary responses and/or correspondence as directed by the Department Commander. He shall carry into effect all motions, orders and resolutions mandated by the Department Convention and not otherwise assigned. He shall officially notify all members of the State Executive Committee, in writing, of the time and place of regular and special meetings. He shall serve as Secretary of the State Executive Committee with voice and vote. He shall distribute the proceedings of the Department Convention not less than six (6) weeks prior to the Department Mid-term State Executive Committee meeting. He shall distribute the proceedings of the Department Mid-term State Executive Committee meeting not less than six (6) weeks prior to the Pre-Convention State Executive Committee meeting. He shall ensure one (1) copy of said proceedings shall be distributed to each member of a standing committee, each Chapter within the Department, each active resident Past Department Commander and Adjutant. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05)

B-7.6(a): INCIDENTAL DUTIES

He shall assist in doing all things incidental and necessary to increase membership activities, service and effectiveness of the Disabled American Veterans. The Department Adjutant shall be compensated for services as authorized by the Department Finance Committee and approved by vote of the convention. He shall perform such other duties as may be assigned by the Department Commander.

B-7.7: APPOINTED OFFICERS

The incoming Commander shall appoint the following officers with the majority approval of the State Executive Committee to serve coterminous with the Commander: Adjutant, Chaplain, Officer of the Day, North and South Ritual Team Commanders, Sergeant at Arms, Historian, Public Relations Officer and Chief of Staff. The Commander may also appoint such additional committees as he may see fit to implement and carry out the duties of his office, with the majority approval of the State Executive Committee. (Amended at

Section 2: By-Laws

2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05) (Amended at 2016 Convention approved by National Judge Advocate 8-25-2016)

B-7.8: OFFICER OF THE DAY

The Department Officer of the Day, as Commander of the Honor Guard shall represent the Department when called upon to perform ceremonial and other such duties as prescribed in the Official Ritual of the National Organization. The Department of Arizona shall be the approving authority for the formation, operation, outfitting with uniforms, and funding for the Honor Guard and Ritual Teams. (Amended at 2005 convention, approved by National Judge Advocate 7-6-05)

B-7.8(a) RITUAL TEAM COMMANDERS

The Ritual Team Commanders shall perform such duties as prescribed in the Official Ritual of the National Organization, and is subject to and will report to the Department Commander. (Adopted at the 2005 convention, approved by National Judge Advocate 7-8-05)

B-7.9: SERGEANT AT ARMS

The Sergeant at Arms shall be responsible for those present in the meetings as to their eligibility for participation therein and shall notify the Commander of visitors' present; he shall obey and enforce the orders of the Commander in preserving order at the meeting and shall allow no one to enter or depart during the opening ceremonies.

B-7.10: HISTORIAN

The Historian shall keep a perpetual history of the Department which shall pass through the Executive Committee to the succeeding Historian of each annual convention. Should the position of Department Historian not be filled, those duties will become part and parcel to the duties of the Department Adjutant.

B-7.11: PUBLIC RELATIONS OFFICER

The Department Public Relations Officer shall be the Department Commander. (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

B-7.12: CHIEF OF STAFF OF THE DEPARTMENT

The Chief of Staff shall carry out such duties as assigned to him by the Department Commander. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

B-7.13: COMMANDER, NATIONAL CONVENTION DELEGATION CHAIRMAN

The Department Commander in office at the time of the National Convention shall be Department Delegate to such convention and shall be Chairman of the delegation. In the event the Department Commander does not attend such National Convention, his

Section 2: By-Laws

replacement shall be the Department's highest ranking elected officer in attendance.

B-7.14: BONDING OF OFFICERS

All officers elected or appointed who are entrusted with funds of the Department shall be bonded in accordance with the provisions of the National By-laws and the amount therein stipulated.

B-7.15: DISCIPLINARY ACTION – OFFICERS AND DELEGATES

All offenses and penalties involving officers or delegates to the Department Convention shall follow the procedure as outlined under Article 16 of the National By-laws and National Executive Committee Regulation #6.

B-7.15(a): GRIEVANCE PROCEDURE

Upon receipt of a written request from a chapter, unit or individual member for a hearing by the Department, the Department Commander will initiate the following actions.

(1): Submit a copy of the written grievance request to the Department Judge Advocate for an opinion as to whether or not a violation of National, State or Chapter Bylaws, Regulations, Rules or Policies exists. A written grievance should contain sufficient information to identify the violations or issues involved and the resolve sought by the grieved party. In lieu of or in addition to, the Commander may initiate the following.

(2): Request the Department Inspector to review the grievance request and conduct an informal investigation, over the phone if necessary, of the issues, and parties involved in the grievance and offer an opinion to the Commander as to whether a formal hearing is required. The Commander, upon his decision may decline or may convene a formal hearing by initiating the following.

(3): Compose a Hearing Panel of any (3) elected Department Officers and establish a time and place of formal hearing. The Department Adjutant will notify all parties involved as to the time and place. The hearing may be conducted by any Department Officer appointed by the Department Commander. No member of the Hearing Panel may be a party to or have a conflict of interest in the grievance. (Amended at the 2019 Department Convention and approved by the National Judge Advocate on 8/26/2019.)

(4): The party filing the grievance shall bear all expenses for their travel as well as their witnesses travel to the hearing location. Any individual or persons representing the chapter or unit who has been requested to appear by the Commander, Adjutant, or Hearing Panel to respond to the allegations, may be reimbursed their expenses not to exceed SEC's travel allowance levels. (Adopted at 2003 convention, approved by National Judge Advocate 6-20-03)

B-7.16: THE PDC & A ASSOCIATION

The Past Department Commanders and Adjutants Association shall be a permanent committee of the Disabled American Veterans, Department of Arizona, and shall administer the Dorothy E. Baile Trust Fund at Arizona State University.

Section 2: By-Laws

B-7.17: DEPARTMENT ACCOUNTANT DUTIES

The Department accountant shall be skilled and knowledgeable in all aspects and operations of the accounting procedures of the Department Headquarters. He or she shall become familiar with the duties of the Department Treasurer. He or she shall be knowledgeable and proficient in using any accounting system or computerized accounting program now in use or adopted for future use by the Department Headquarters. He or she shall assist the Department Treasurer in all those duties coincident with the office of Treasurer. He or she shall assure all documents and records conform to Section 8.4 of the National Constitution and Bylaws. He or she will be directly accountable to the Department Commander and Treasurer on a daily operational basis. (Adopted at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

ARTICLE VIII – VACANCIES IN OFFICE

B-8.1: VACANCY OF COMMANDER AND OTHER OFFICERS

Vacancies occurring in the offices of Commander, or Sr. Vice Commander will be filled by succession. Jr. Vice Commander, Treasurer, Inspector, Judge Advocate, or Chaplain between conventions by reason of death, resignation, or removal or other reason shall be appointed by the Commander with the approval of the SEC. (Amended at the 2013 convention, approved by the National Judge Advocate) (Amended at the 2017 convention, approved by the National Judge Advocate 5/7/2018)

B-8.2: VACANCY OF SENIOR VICE COMMANDER

The Junior Vice Commander shall ascend to Senior Vice Commander upon his removal from office, his death, resignation or ascension.

B-8.3: VACANCY OF DISTRICT LIAISON OR FINANCE COMMITTEE MEMBER

Vacancies in the office of District Liaison(s) or Finance Committee members shall be filled by a vote of the district affected.

B-8.4: VACANCY OF S.E.C. OR ALTERNATE

Vacancies occurring in the office of State Executive Committee Members or Alternate Committee Members by reason of death, resignation, transfer or other reason shall be declared vacant by the Department Commander. The Chapter concerned shall hold an immediate election at their next general membership meeting. See Regulations for installation. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

Section 2: By-Laws

B-8.5: REMOVAL OF ELECTED OFFICERS

Elected officers may be removed upon consent of two-thirds (2/3) of the State Executive Committee. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

ARTICLE IX – 1

B-9.1: STATE EXECUTIVE COMMITTEE

The State Executive Committee shall consist of: Department Commander, Senior Vice Commander, Junior Vice Commander, Two (2) District Liaisons, Treasurer, Inspector, Judge Advocate, Chaplain, Adjutant, (3) Finance Committee Members, Junior Past Commander, and one (1) Executive Committee Member or Alternate from each Chapter in the Department. A Chapter Alternate State Executive Committee Member may serve on this committee only in the absence or vacancy of office of the Chapter's elected State Executive Committee Member. (Amended at 2004 convention as revised on the floor, approved by National Judge Advocate 6-22-04) (Amended at 2017 Convention, approved by the National Judge Advocate 5/7/2018)

B-9.2: ELECTION OF STATE EXECUTIVE COMMITTEE MEMBERS

The State Executive Committee Members and Alternate shall be elected by their respective Chapters within the sixty (60) days, but not later than seven days, prior to the Convention. Notification to the Department must be made not later than forty-eight (48) hours of said election, and they shall be installed at the Department Convention with other elected officers.

B-9.3: S.E.C. VOTE FOR BUDGETARY CHANGES

The State Executive Committee, upon recommendation of the Department Commander or Finance Committee, may vote additional needed funds for an approved budget if they are available. A two-thirds (2/3) vote is needed by the State Executive Committee and shall be recorded by the Department Adjutant. Said additional funds shall not exceed the dollar figure recommended by the Department Finance Committee and the Department Commander for vote by the State Executive Committee. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

B-9.4: S.E.C. VOTE BY MAIL-OUT BALLOT

In lieu of calling a special meeting of the State Executive Committee, any, question to be decided may be submitted to the Committee Members in writing from the Department Adjutant, In such instances in that a question must have an immediate response prior to the established response time of (14) fourteen days using mail-out ballots the Department Adjutant may use electronic communications via e-mail and/or phone call. (Only an email and phone number submitted to Department by all Committee Members can be used for voting): and two-thirds (2/3) vote shall be binding. A majority of State Executive

Section 2: By-Laws

Committee ballots must be received for a quorum to exist. All ballots must be returned to the Department Adjutant within seven (7) days of receipt. The cut-off for the return of Mail-Out-Ballots, to Department Headquarters, is fourteen (14) days from the date the ballots were mailed to the Executive Committee members. The ballots shall be counted on the fourteenth (14) day, from the date of the mailing of the ballots. Results will be reported to the Chapters within five (5) days from the cut-off date and include the number of yes votes and the number of ballots not responding. The ballots shall be filed and retained a minimum of two years. The Department will provide a stamped self-addressed return envelope with each mailing. (Amended at the 2015 Convention, and approved, by the National Judge Advocate.)

ARTICLE X – DEPARTMENT FINANCE COMMITTEE

B-10.1: DEPARTMENT FINANCE COMMITTEE

There shall be a Department Finance Committee, comprised of the Department Commander, Senior Vice Commander, Junior Vice Commander, District Liaisons, Past Junior Department Commander, and a member from each of the two Districts and one at large. The Department Treasurer will serve as an advisor and member with voice and vote, unless issue in question is a conflict of interest. No Committee Member shall be allowed to vote if he or she has a conflict of interest by voting on a motion except in the case of the Committee Chairman voting on a tie vote. The Chairman at his discretion can also refer the tie vote to the State Executive Committee for a Mail-Out Ballot on the motion. All minutes of the motion shall be attached to the Mail-Out Ballot. If a motion is a conflict of interest for all members of the Finance Committee, then the committee shall vote and then refer it to the Executive Committee with its recommendations. The Finance Committee members are to be elected at the Department convention at the time and by the same process as Districts meet and elect District Liaisons. The District will elect the Finance Committee members on a rotating basis once every three years, the convention as a whole electing the member at large; in the same manner any other line officer is elected. (Amended at 2002 Convention, approved by National Commander 7-15-02) (Amended at 2004 convention as revised on the convention floor, approved by National Judge Advocate 6-22-04) (Amended at 2010 convention and approved by the National Judge Advocate 7-6-2010) (Amended at the 2014 Convention and approved by the National Judge Advocate 9/26/2014) (Amended at the 2017 Convention and approved by the National Judge Advocate on 5/7/2018).

B-10.2: VACANCY ON THE FINANCE COMMITTEE

When the Finance Committee Member leaves the District, his position on the Finance Committee shall be declared vacant and the losing District shall elect a new committee member within thirty (30) days from the date of the declared vacancy. In the event no member from that District is available to run for the Finance Committee, then the election is open to the entire Department.

Section 2: By-Laws

B-10.3: CHAIRMAN AND FINANCE COMMITTEE DUTIES

The Chairman will be the member serving his final year on the Committee. The Chairman will insure an annual audit is conducted of the Department's fiscal affairs. The Department Finance Committee shall prepare an operating line-item budget for each incoming administration to be approved by the Convention. Copies of the proposed budget shall be distributed during the first business session, with care taken to insure ample copies. In no case can an approved budget item be exceeded nor transferred from one account to another without prior approval of the Department Finance Committee except as otherwise provided for in Article 9.3 of these By-laws. The Finance Committee must seek State Executive Committee approval on all matters of budgetary changes in excess of \$5,000.00. The Finance Committee shall incorporate in the incoming administration's budget an amount sufficient to cover the cost of the Department Convention. The Chairman of the Finance Committee, or an Alternate approved by the Department State Executive Post-Convention Committee, must sign all Department vouchers with invoices attached. In addition, the Department Finance Committee shall be responsible to see that all Department Fund Raisers approved by the Department Finance Committee and National Organization are implemented and carried out for the purpose of raising funds to provide services to our veterans. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05) (Amended at the 2017 convention , approved by the National Judge Advocate 5/7/2018)

B-10.3(a): DEPARTMENT ASSESSMENT COMMITTEE

The Department shall have a Department Assessment Committee who shall assist the Department Finance Committee with review of quarterly assessments. This Committee will report recommendations to the Department Finance Committee on all matters of assessment. The ultimate authority will remain under the Department Finance Committee as prescribed in Section 10.4. The Assessment Committee shall consist of the two District Liaisons, the Chairman of the Service Commission and the Chairman of the Finance Committee. The Treasurer shall be an advisor to the Committee with voice but no vote. The Commander may appoint additional advisors with voice but no vote as deemed necessary. (Adopted at the 2000 convention and approved by the National Judge Advocate 7-6-2000)

B-10.4: CHAPTER FINANCIAL REPORTS

The Department Finance Committee shall review all Chapter, Department Auxiliary; all Auxiliary Units; and all subordinate units' financial reports submitted to the Department, and be the reviewing authority and determine proper assessments for the Department Service Program. This is in accordance with ARTICLES XI B-11.8(a) of the Department By-Laws. All Chapters, Department Auxiliary Units, and all subordinate units shall submit a copy of the Annual Financial Report that is submitted to the National Headquarters at the same time to the Department Headquarters. Each Chapter is required by National By-Laws

Section 2: By-Laws

Article 9 Section 9:3 Financial Records, reports to submit a report to the state department and National Organization within ninety days after the close of the accounting year, which shall be the membership year commencing July 1 and ending June 30. If the Chapters' gross receipts excluding dues from National do not exceed \$10,000.00 then the only report to be filed is with the State Department. Failure to file financial reports will be cause for the Department Commander to recommend to National Suspension or revocation of the chapter charter. The financial statement as required by National By-Laws must be reviewed by a Certified Public Accountant if the gross annual income, excluding membership per capita, exceeds \$300,000 from all sources. All Chapters, State Department, and Units must file an Annual Report with the Arizona Corporation Commission as required by state law. All Chapters, State Department, and Units whose gross receipts are less than IRS Guidelines are required to submit online form 990-N also known as the e-Postcard. If your receipts are greater than IRS Guidelines you must file IRS Form 990. 990-N <http://epostcardform990.org> (Amended at the 2014 Convention and approved by the National Judge Advocate on 9/26/2014). (Amended at the 2017 Convention and approved by the National Judge Advocate on 5/7/2018)

B-10.5: DEPARTMENT EQUIPMENT

The Department Finance Committee shall be responsible for all non-expendable equipment with a disposable value of fifty dollars (\$50.00) or more. Non-expendable equipment that is declared surplus shall be disposed of by means determined by the Finance Committee to be in the best interest of the Department. Any funds derived from the sale of surplus non-expendable equipment shall be credited to the appropriate account as determined by the Finance Committee.

B10.6: FUND RAISING APPROVAL POWERS

Fund raising powers shall be given to the Finance Committee subject to the approval of the State Executive Committee and subject to Section 15.2 of the National By-laws.

ARTICLE XI – FINANCE

B-11.1: FISCAL YEAR

The fiscal year for the Department of Arizona shall be July 1 through June 30.

B-11.2: PROHIBITION ON FUNDS

The Department shall not spend any of its funds for direct welfare purposes. Neither shall it loan money to any Chapter or individual. This prohibition on funds should not limit the Department however, to render natural disaster assistance relief or unforeseen extreme financial crisis when needed and if funding is available. Any request for assistance under natural disaster assistance relief or unforeseen extreme financial crisis will be subject to a

Section 2: By-Laws

vote by the Finance Committee for approval. Such vote may be taken by phone call polling of the Finance Committee if necessary. A majority vote of all voting members of the Finance Committee will be required to render crisis assistance. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03) (Amended at 2005 convention, approved by National Judge Advocate 7-8-05)

B-11.3 DEPOSIT OF FUNDS AND PAYMENTS

All Department Funds shall be deposited in Banks or Financial Institutions and be monitored by the Department Treasurer and the Department Finance Committee, which will be subject to audit. A meeting with the Bank or Financial Institution will be held at least on a quarterly basis to ensure the Department Funds are being adequately maintained. All requests for payment from the Department funds and/or invoices must be signed by the originator and forwarded to the Department Treasurer or for processing. The Department Treasurer, Adjutant, Assistant Adjutant, or Commander may find it more convenient from time to time to make necessary Department purchases by credit or debit cards. The Department Finance Committee Can approve additional card holders by a $\frac{3}{4}$ vote of the committee. The Commander may request that the Finance Committee issue a card to another individual but it will still require the $\frac{3}{4}$ vote by the Finance Committee. Card limits shall be determined by the Finance Committee. Our contributors have insisted we have the service of being able to allow them to make donations by credit or debit cards, therefore the use of such shall be permitted by these Bylaws (Amended at 1999 convention, approved by National Judge Advocate 7-9-99) (Amended at 2008 convention, approved by National Judge Advocate 7-1-08) (Amended at the 2014 Convention, approved by the National Judge Advocate 9/26/2014)

B-11.3A: PURCHASING, REFINANCING OR LEASING OF BUILDINGS, LAND AND OTHER VACANT PROPERTY

Chapters, and /or Units shall not Purchase, Refinance or Lease Buildings, Land and other Vacant Property without the approval of the Department Finance Committee and the SEC. Each Chapter, and/or Unit must show that they are able to make the payments as required by the Purchase, Refinance or Lease. (Added at the 2015 Convention and approved by the National Judge Advocate on 8/19/2015)

B-11.4: PROHIBITION ON BINDING DEPARTMENT

By accepting an elective or appointive office, each member agrees that he shall not be entitled to reimbursement for any sum advanced, incurred or spent unless expressly authorized by a budgetary line item or by the Department Commander, with the approval of the Department Finance Committee. No Chairman, Committee Member, Department Officer, or other member shall have the power or authority to incur any expense or obligation to bind the Department unless by expressed prior approval of the Department

Section 2: By-Laws

Finance Committee.

B-11.5: CHAPTER AND AUXILIARY FUND RAISING PROGRAMS

All Chapters, Department Auxiliary, Auxiliary Units, and all subordinate Units' fund raising programs shall be in compliance with the National and Department By-laws and Regulations.

(Amended at 2001 convention, approved by National Judge Advocate 6-26-01)

B-11.6 DEPARTMENT SERVICE ACCOUNT

All funds raised specifically for service programs shall be placed into a Department Service Account. Funds contained within this account shall accrue only for use as needed for subsequent service programs. These funds shall not be used to purchase VTN vans or provide VTN van repairs, unless all funds in the Department of Arizona Rehabilitation Fund have been exhausted. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

B-11.7: [Deleted]

(Deleted at 2001 convention, approved by the National Judge Advocate 6-26-01)

B-11.8: AUTHORITY TO ASSESS

Upon request of the Finance Committee and a two thirds approval of the State Executive Committee or the convention body, Department shall be empowered to assess for Department Service Programs all Chapters, the Department Auxiliary, all Auxiliary Units, and all subordinate Units, excluding the Junior Auxiliary, the assessment will be 10% of net income of the two largest fund raisers per reporting period. The assessment will remain in force for the remainder of the Finance Committee's Term. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04) (Amended at 2013 Convention, approved by the National Judge Advocate 8-27-2013)

B-11.8(a): REPORTING PERIODS FOR ASSESSMENTS

Upon approval of the Finance Committee's request for assessment (Reference 11.8) without exception, reports are due and payable as follows: July 31st for April, May and June; October 31st for July, August and September; January 31st for October, November and December; April 30th for January, February and March. Net income is defined as per National Executive Committee Regulations. (Amended at 2013 convention, approved by the National Judge Advocate 8-27-2013)

B-11.8(b): TWO LARGEST FUND RAISERS PER QUARTER

Upon approval of the Finance Committee's request for assessment (Reference 11.8), all Chapters, Units and Subordinate Units shall report the totals of all their fund raisers per

Section 2: By-Laws

quarter. The combined amount of the two highest fund raisers per quarter shall be assessed 10% of net and paid to the Department Service Account. A complete list of direct expenses shall be included. Annual Forget-Me-Not campaigns for any Chapter or Subordinate Unit, shall be exempted from Departmental Assessment, even if the campaign should be the largest or second largest fund raiser during any given assessment period. (Amended at 2004 convention, approved by National Judge Advocate 6-22-04) (Amended at the 2013 Convention, approved by the National Judge Advocate 8-27-2013)

B-11.9: AUTHORITY TO CONDUCT FUND RAISING

The Department may conduct annual fund raising programs for fraternal and/or service purposes and in accordance with National Executive Committee Regulations. All funds derived from the program(s) shall be forwarded to the Department Treasurer within seven (7) calendar days of receipt. All disbursements must conform to Department By-laws and National Executive Committee Regulations. (Amended at the 2000 convention, approved by the National Judge Advocate 7-6-2000)

B-11.10: DEPARTMENT OF ARIZONA REHABILITATION FUND

There shall be a Department of Arizona Rehabilitation Fund, the purpose of which will be to solicit and hold for use, funds for charitable purposes per National Executive Committee Regulations. Funds in the Rehabilitation Fund Account may be used to supplement VTN van purchases if necessary. All funds derived from this program shall be deposited in the Department Rehabilitation Fund, and these funds shall be considered part of the Service Program funds and not general funds. The Department Finance Committee will oversee the use of funds in the Rehabilitation Fund Account. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

B-11.11: APPROVAL OF CHAPTER AND AUXILIARY FUND RAISING

The Department shall not approve any blanket fundraising requests from Chapters or Auxiliaries. Each ongoing fundraising request must be forwarded to the Department Finance Committee along with a copy of policy, rules and/or regulations for operation of same for current or future fund raisers, for approval in accordance with National By-laws and National Executive Committee Regulations on an individual basis. All requests for Fund Raising must be received by the department at least 30 days in advance of the Fund Raiser. If the Fund Raising will also be conducted in another Chapter's or Auxiliary's area a written approval from that Chapter or Auxiliary must be attached. The State Auxiliary must have approval for a fundraiser from the DAV Department of Arizona and must submit its request 30 days in advance. Units can conduct fundraisers with written Chapter approval if the fundraiser will gross less than \$5000.00 in accordance with DAVA National Bylaws. Only the chapter approval is required but a copy must be forwarded to the DAV

Section 2: By-Laws

Department of Arizona for review. If the fundraiser is greater than \$5000.00 it must be approved by the Chapter and the State DAV. Since the State DAV Finance Committee does not meet on a regular basis, as request for a fundraiser received before the next Finance Meeting shall be approved by a Vote of the Commander, Sr. Vice Commander, Jr. Vice Commander, and the Finance Committee Chairman and presented at the next Finance Committee Meeting. (Amended at the 2014 Convention and approved by the National Judge Advocate on 9/26/2014). (Amended at the 2017 Convention and approved by the National Judge Advocate on 5/7/2018)

B-11.12: CHAPTER BAR OR LOUNGE OPERATION

If a bar or lounge dispensing alcoholic beverages is operated by, or in the name of a subordinate chapter of the Department and National Organization, it may not be subsidized by the chapter with income derived for the purpose or rendering service to disabled veterans and their dependents. (Adopted at the 2000 convention, approved by the National Judge Advocate, 7/6/00)

B-11.13: OFFICERS AUTHORIZED COMPENSATION FOR SERVICES RENDERED

The Department of Arizona shall authorize compensation for the Department Treasurer and the Department Adjutant, the amount to be based upon recommendation of the Department Finance Committee and subject to approval of the annual fiscal budget by the membership assembled at Department Convention. All other elected or appointed officers of the Department not otherwise identified in this Bylaw, will be approved certain expenses upon recommendation by the Department Finance Committee and subject to approval of the annual budget by the membership assembled at Department convention. (Adopted at the 2004 convention, approved by the National Judge Advocate 6-22-04)

B-11.14: DISBURSEMENT OF FUNDS REQUIRING DOCUMENTATION

All requests for the disbursement of Department funds to any vendor, entity who have provided services, officer or member, must be accompanied by a billing, receipt and/or voucher which clearly identify the reasoning or purpose for which the disbursement is requested. On rare occasions the Department Treasurer, with the approval of the Department Commander or Finance Committee Chairman, may authorize advance funds for a special purpose to offset the expenses incurred of the special event. However, immediately following the event, the individual who received advanced funds must submit a voucher and receipts to justify the expenditure. Failure to do so will result in the individual incurring a debt to the Department for the advance funds and punitive action may be taken. (Adopted at the 2004 convention, approved by the National Judge Advocate 6-22-04)

Section 2: By-Laws

ARTICLE XII – CHAPTER CHARTERS

B-12.1: CHARTERS

Charters may be granted to Chapters, as provided for in Article 6 of the National By-laws, and may be revoked or suspended in accordance with the same Article.

B-12.2: SUSPENSIONS OR REVOCATIONS

Suspensions or revocations of charters refer to National By-laws.

ARTICLE XIII – DEPARTMENT SERVICE PROGRAM

B-13.1: PURPOSE

The Department Service Commission will, subject to supervision and control of the Department Commander and the State Executive Committee, be responsible for the Service Program of the Department of Arizona, Disabled American Veterans. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01)

B-13.2: COMPOSITION

The Department Service Commission shall consist of the Department Commander, Senior Vice Commander, Supervising National Service Officer and one elected Commissioner for each VA Medical Center region, with voice and vote. All standing members of the Department Service Commission will be known as Commissioners. The Department Commander may appoint such advisors as the Commission deems appropriate to effectively accomplish its mission.

(Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

B-13.2(a): DISTRICT REPRESENTATION

The Service Commission members are to be elected at the Department convention at the same time and by the same process Districts meet and elect District Liaisons. The Southern District will elect the Tucson Regional Service Commissioner and the Northern District will elect the Phoenix Regional Service Commissioner. The convention as a whole will elect the Prescott Regional Service Commissioner in the same manner as if in District caucus, meaning one chapter one vote. The Regional Service Commissioners will be elected on a rotating basis every three years. (Amended at 2002 convention, approved by National Commander 7-15-02)

Section 2: By-Laws

B-13.3: TENURE AND CONDITION OF MEMBERS

The Chairman of the Service Commission will be the Department Senior Vice Commander. The Department Commander and the Supervising National Service Officer shall never hold the office of Commission Chairman. Each commissioner shall serve until his successor has been elected or appointed. Any vacancy other than expiration of term shall be filled by a second appointment by the Department Commander. No member of the Department Service Commission or an appointed advisor shall receive a salary from the Department for fulfilling the duties of that office. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01)

B-13.4: POWERS

The Department Service Commission shall have exclusive authority to employ Department Service Program personnel. Veterans shall be given priority for employment. The work of such employees shall be under the direct control of the Department Service Commission and the Department Commander. (Amended at the 2019 Department Convention and approved by the National Judge Advocate on 8/26/2019.)

B-13.4(a) OPERATIONAL SUPERVISION

With the approval of the National Service Director, the National Service Officer Supervisor shall be designated as the Supervisor of the Department Service Program employees. Such supervision will relate to claims and service work, being accomplished by HSC's, in addition to the Volunteer Transportation Network, and will require an annual report to the Department and National Headquarters. (Amended at 2001 convention, approved by National Judge Advocate 6-26-01) (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

B-13.4(b) INSTRUCTIONAL SERVICE TRAINING

With the assistance of the National Service Director, the National Service Office Supervisor shall provide schools of instruction and refresher training courses, at least annually, and the submission of recommendations for improvement, to the Department Service Commission. (Adopted by 1998 convention, approved by National Judge Advocate on 6-15-98)

B-13.5: MEETINGS

The Department Service Commission shall meet at the Department Convention or at the call of the Department Commander, Commission Chairman, National Service Office Supervisor or any two commissioners, as required to conduct business. (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

B13.5 (a): MILEAGE AND PER DIEM

Service Commission members shall be paid mileage and per diem from the Service Program's Travel Fund.

Section 2: By-Laws

B-13.6: FINANCIAL RESPONSIBILITY

The budgetary recommendations prepared by the Department Service Commission Chairman will be reviewed by the Department Service Commission and then presented to the Department Finance Committee for appropriate action. The commission will include in this budget such amounts as are deemed necessary for the expenses of the Department Service Program. (Amended at 2004 convention, approved by National Judge Advocate 6-22-04)

B-13.6 (a): DISBURSEMENT OF FUNDS

While the Department Finance Committee (and Convention) approve the budget of the Department Service Program, the Department Service Commission and the Department Commander shall be responsible for recommending the disbursing of funds for the service activities of the Department. (Amended at 1999 convention, approved by the National Judge Advocate 7-9-99)

B-13.7: POLICIES

Except as outlined in this Article, the Department Service Commission is authorized to adopt rules, regulations, procedural practices, employment and personnel policies necessary to carry out the duties and responsibilities of the Department Service Program.

B-13.7 (a): RECORDS

The Department Service Commission shall keep, as permanent records, full and accurate minutes of all its meetings and authorization and directives. It shall furnish to the Department Commander a copy of the minutes of all meetings. The Department Service

Commission shall make a full and complete report of its activities to the Department Commander and to the Department Convention.

ARTICLE XIV – DISTRICTS

B-14.1: DISTRICTS

The State shall be divided into two (2) Districts: Northern District shall be a combination of the old District “B” and “C”. The Southern District shall remain the same, as it was known as District “A”. (Amended at 20 02 Convention, Approved by National Commander 7-15-02)

B-14.2: ELECTION OF DISTRICT LIAISONS

District Liaisons and officers will be elected by their respective districts; the voting process to be each chapter present shall be entitled to a single vote cast, by its representative, for each district Officer as well as any other ballots to be decided. A quorum must be

Section 2: By-Laws

established to vote. (Amended at 1999 convention, approved by the National Judge Advocate 7-9-99) (Amended at the 2015 Convention, approved by the National Judge Advocate 8/19/2015) (Amended by request of the National Judge Advocate 5/7/2018)

ARTICLE XV – NON-PROFIT CORPORATION

B-15.1: INCORPORATION

The Department shall be incorporated under the laws of the State of Arizona. The corporate address shall be that of the Disabled American Veterans, Department Headquarters in Phoenix, Arizona. The office of the Department Commander is comparable to that of a president of a corporation; a Department Senior Vice Commander, a vice president; the Department Adjutant, an executive secretary; and the Department Executive Committee is comparable to a corporate board of directors. The statutory Agent shall be the Department Treasurer; the Judge Advocate will ensure the corporation papers are accurately filed annually. The Department Incorporation shall be in compliance with the National By-laws. Upon dissolution of the corporation, the assets remaining after the payment of its debts shall be managed in accordance with the National By-laws.

ARTICLE XVI – RULES OF ORDER

B-16.1: RULES

All matters of procedure not otherwise provided for in these By-laws or in the rules of the convention, shall be governed by Roberts Rules of Order (most recent revision).

ARTICLE XVII – AMENDMENTS

B-17.1: CONVENTION AMENDMENTS

These By-laws can be amended by two-thirds (2/3) vote of the accredited and authorized members of the convention present and voting on any amendment properly before the convention.

B-17.2: READING OF AMENDMENTS

Any proposed amendment to these By-laws shall be read to the convention at least four (4) hours elapsed time before the second reading and final vote is taken thereon.

B-17.3: APPROVED AMENDMENTS

All approved amendments to these By-laws must be submitted within sixty (60) days to

Section 2: By-Laws

National Headquarters for approval and inserted into these Constitution and By-laws within ninety (90) days after approval. The Department Adjutant shall be required to forward a copy of approved amendments to each Chapter immediately upon receipt of such approval.

B-17.4: To the extent to which any 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 the National Organization, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended as to conform thereto. (Added at the Directive of Mr. Michael Dobmeier, National Judge Advocate 10/7/2014)

REGULATIONS

SECTION 1 - ORGANIZATION

SECTION 2 - POLICIES

R-2.1: DEPARTMENT NEWSLETTER

The Department may publish a Department Newsletter on a regular basis. The Commander shall appoint a newsletter editor. In the absence of an appointment, the responsibility of producing a newsletter will become part and parcel to the duties of the Department Adjutant. The newsletter will reflect at all times the official position of the Disabled American Veterans organization and will remain non-partisan, in keeping with National and Department policy of non-partisanship. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99) (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

R-2.2: DEPARTMENT NEWSLETTER SUBSCRIPTION FEE

The Department may charge a subscription fee from any individual or DAV or DAVA entity in the Department for the receipt of the Department Newsletter. The subscription fee will be established by the Department Finance Committee. No DAV or DAVA member, or DAV or DAVA entity in the Department will be required to subscribe to the Department Newsletter as a requirement of their membership. The subscribing to the Department Newsletter will be voluntary on any individual member or DAV or DAVA entity. Should the Finance Committee elect not to levy a subscription fee, the mailing of the Department Newsletter will be limited to: All Department elected or appointed officers, Chapter Commanders, State Executive Committeemen, National Service Officers, Department

Section 2: By-Laws

Service and Hospital Coordinators, and Past Department Commanders. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99)

R-2.3: FUNDS FROM GOLDEN CORRAL VETERANS DAY PROGRAM

It shall be the expressed policy of this Department to allow those chapters asked to send participating members to cover a specific restaurant, to keep those funds donated by the general public for that chapter's service programs. This policy will guide all future Finance Committees with regards to these funds. This Policy may be revoked by a majority vote of the membership at convention or by the State Executive Committee in between conventions, in full or on a chapter by chapter basis; if it has been factually determined the funds raised were not used for service veterans. (Adopted at 2007 convention, approved by National Judge Advocate 7-11-07)

R-2.4 RELIGIOUS BIBLES (Removed By Order of the National Judge Advocate 5/7/2018.)

R-2.5 DEPARTMENT ADMINISTRATIVE AID

It shall be the policy of the Department to have standing authorization from the membership to hire an Administrative Aid to assist the Department staff. Such authorization is subject to sufficient funds to hire an individual for this purpose. The Finance Committee will determine if funding is available and level of salary. The Department Commander, Treasurer, Adjutant and Chairman of the Finance Committee will act as an Employment Committee to screen, interview and select an individual from time to time for this position. The Administrative Aid will serve as the Adjutant's assistant and will perform all the duties of the Adjutant when required. The Administrative Aid will also be responsible to carryout assignments given by the Commander and Treasure to assure a good operation for the mission of the Department Headquarter and staff. (Adopted at 2007 convention, approved by National Judge Advocate 7-11-07)

SECTION 3 - CONVENTIONS

SECTION 4 - CONVENTION COMMITTEES

SECTION 5 - POWERS

SECTION 6 - OFFICERS

R-6.1: INSTALLATION OF OFFICERS

All Department Officers are to be installed prior to the adjournment of the Department

Section 2: By-Laws

Convention.

R-6.2: LIMITATION ON OFFICES HELD

An elective officer may hold only one (1) elective office in the Department, but may hold appointive or Chapter office simultaneously.

SECTION 7 - DUTIES OF OFFICERS

R-7.1: ADJUTANT CANNOT BE ELECTIVE OFFICER

No Department elective officer may serve as Adjutant.

R-7.2. DUTIES OF DEPARTMENT ADMINISTRATIVE AIDE

The Department Administrative Aide will be responsible for all duties assigned him/her by the Department Adjutant in his or her absence. This includes answering telephone and directing calls, opening all mail and directing mail to the appropriate Department Officer, and reviewing and responding to or directing to the appropriate individual all E-Mail received at Department Headquarters. In addition, the Department Administrative Aide will attend all committee meetings without voice or vote and keep an accurate record via tape recording of those committee meetings. She/he will transcribe the minutes of those meetings and assure they are disseminated to all committee members. In addition, the Department Administrative Aide may be asked to assist the Adjutant, Treasure, Department Command and Finance Committee Chairman in the preparation of special projects. Finally, the Department Administrative Aid will become familiar and knowledgeable in all duties commonly associated with the Department Adjutant and this would serve the organization well as there may be from time to time a change in Department Staff through election or appointments and the Department Administrative Aide's familiarity with the office operation will serve for easier transitions of staff. (Adopted at 2007 convention, approved by National Judge Advocate 7-11-07)

R-7.3: QUARTERLY REPORT TO THE STATE EXECUTIVE COMMITTEE

A quarterly report as required by Bylaw 7.2 Shall be prepared and disseminated to the State Executive Committee on the same fiscal basis and the fiscal budget year. The first quarter ending September, a report should go out in October consisting of the spreadsheet which contains the budget, income, expenses, year-to-date totals and percentage of budget. The second quarter ends in December and the second quarterly report will be presented at the Mid-Term convention in January to include all the above and a balance sheet of all banking or saving institution accounts. The third quarter ends in March and the report will consist of the same information as required in the first quarterly report, going out in April. Lastly the fourth quarter ends in June and the final quarterly report should go out in July to the existing State Executive Committeemen consisting of all documentation required in the second quarter at Mid-term convention. The Department Treasure may offer

Section 2: By-Laws

a written report of the fiscal soundness of the Department with any quarterly report. In the absence of the Treasure or if appropriate to facilitate the reports going out the Department Finance Committee Chairman may assist the Treasure in this particular duty and offer his/her analysis of the fiscal soundness of the Department. (Adopted at 2007 convention, approved by National Judge Advocate 7-11-07) (Amended at the 2010 department convention, approved by the National Judge Advocate on 7-6-2010)

SECTION 8 - VACANCIES IN OFFICE

R-8.1: INSTALLATION OF S.E.C OR ALTERNATE S.E.C. FOLLOWING VACANCIES

A newly elected State Executive Committeeman or Alternate Committeeman may be installed in any of the following manners. 1. At the next State Executive Committee meeting. 2. At the Committeeman's chapter during a regular general membership meeting. 3. At the Department Headquarters office with at least one witness. The installing officer may be the Department Commander or his designee. (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

SECTION 9 - STATE EXECUTIVE COMMITTEE

SECTION 10 - DEPARTMENT FINANCE COMMITTEE

R-10.1: AUTHORITY TO SANCTION SUBORDINATE UNITS

The Department Commander upon instruction by the Department Finance Committee may issue to any subordinate unit a sanction, for failure to seek fund raising approval for all ongoing or special event fund raisers. Such sanction may include, but not limited to, a written reprimand, a written warning to comply within a time limit set by the Department Finance Committee, a temporary suspension of the fund raiser until compliance has been rendered and approval given by the Department Finance Committee. Failure to comply with any sanction concerning non-approval of a fund raiser could result in the suspension of the subordinate unit's charter. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99)

R-10.2: TREASURERS AS STATUTORY AGENT FOR FINANCE COMMITTEE

[Moved to Bylaws] (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

Section 2: By-Laws

SECTION 11 – FINANCE

R-11.1: MILEAGE AND PER DIEM

Mileage and actual room cost (not to exceed the rate of the convention room rate) to the Department Convention shall be paid only to the following Department Officers: Commander, Senior Vice Commander, Junior Vice Commander, each Past Commander if registered with the convention, Treasurer, Inspector, Judge Advocate, Adjutant, Chaplain, Finance Committee Members, District Liaisons, State Executive Committee Members, and Convention Committee Members provided they do not receive a complementary room. Mileage only to be paid for all State Executive Committee meetings except as outlined above. The Department Service Budget to cover National Service Officers and Department Service employees. (Amended by 1998 convention, on June 4, 1998, approved by National Judge Advocate on 6-15-98), (Amended 2012 Convention, approved by National Judge Advocate 6-28-12)

R-11.1(a): “MILEAGE RATE FOR REIMBURSEMENT”

Mileage reimbursement for all Department sanctioned functions shall be paid at the prevailing rate established by the Internal Revenue Service for government travel reimbursement and/or for allowable income tax deduction. (Adopted at the 2012 convention, approved by National Judge Advocate 6-28-12)

R-11.1(b): “ROOM RATE FOR REIMBURSEMENT, MID-TERM CONVENTION”

The Department Treasurer and /or Adjutant will attempt to establish rooms for the Mid-Term Convention at a local motel at the best rate possible. They will attempt to block off as many rooms as necessary to provide for a one-night stay. Individuals wishing to stay at any other motel will be reimbursed at the same rate negotiated for the Mid-Term Convention motel rate. Any additional nights lodging will be at the discretion of the Department Commander. The distance of travel required for room reimbursement will be a matter for the Department Finance Committee to determine. (Adopted at the 2012 convention, approved by National Judge Advocate 6-28-12)

R-11.2: PDC’s REGISTRATION AND BANQUET FEES

Department Convention registration and banquet fees shall be paid by the Department of Arizona for all Past Arizona Department Commanders, if registered throughout the entire Convention as a Past Department Commander and not filling a per diem paid position.

R-11.2(a) WAIVER OF REGISTRATION FEES FOR DELEGATES AGE 80

The Department Convention registration fee shall be waived for all Department of Arizona members in good standing and who have attained the age of 80 years or more and who are delegates to the Department Convention. (Adopted at the 2005 convention, approved by the National Judge Advocate 7-8-05)

Section 2: By-Laws

R-11.3: CAUCUS ROOM AT NATIONAL CONVENTIONS

Upon the approval of the Department Finance Committee and the S.E. C's \$5000.00 shall be set aside for the use of an active Department or Chapter Member who is running for a position as a National Line Officer; National Commander, Sr. Vice Commander, or any of the Jr. Vice Commander National Offices. This amount shall not exceed the budgetary change limit (Reference (10.3) without S.E.C approval. (Amended at the 2013 convention, approved by the National Judge Advocate 8/27/2013) (Amended at the 2016 convention, approved by the National Judge Advocate 8-25-2016.)

R-11.4: APPROVAL FOR/OR NOTIFICATION OF FUND RAISERS

All subordinate units listed in Article 11.5 of these By-laws must submit in writing, on a form prescribed by the Department Finance Committee, requests for approval of fund raisers. Each fund raiser, whether an ongoing or one-time special event, must be submitted on an individual form to the Finance Committee. All requests for ongoing fund raisers may be turned into the Department Treasurer during the convention, but no later than thirty (30) days following the close of the convention. A thirty (30) day grace period for ongoing fund raisers will be extended from the close of convention, or until the Department Finance Committee next meets. Any one-time special event fund raiser must be submitted in writing to the Department Treasurer thirty (30) days prior to the event. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99)

R-11.5: GUIDE FOR USE OF SERVICE FUNDS FOR VTN VANS

If and when a need has been identified to purchase additional van(s) for the DAV VTN program, the Department Finance Committee and the Department Treasurer will use funds in restricted Trust Accounts if the restrictions on the account permit. If no funds are available in restricted Trust Accounts, the Rehabilitation Fund Account will be used. If all monies in the Rehabilitation Fund have been exhausted, the Department Service Account funds will be used. If funds were not placed in the current operating budget, the Department Finance Committee will seek S.E.C. approval as per Bylaws, Article IX, Section 9.3.(Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

SECTION 12 - CHAPTER AND CHARTERS

SECTION 13 - DEPARTMENT SERVICE PROGRAM

SECTION 14 - DISTRICTS

SECTION 15 - NON-PROFIT CORPORATION

Section 2: By-Laws

SECTION 16 - RULES OF ORDER

SECTION 17 – AMENDMENTS

R-17.1: AMENDMENTS BY CONVENTION (REGULATIONS)

The Regulations can be amended by a majority vote of the accredited and authorized members of the convention present and voting on any amendment properly before the convention. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99)

R-17.2: AMENDMENTS BY MAIL OUT BALLOT (REGULATIONS)

These Regulations can also be amended, after being received by the Department Adjutant in triplicate and doubled spaced, and mailed out to the State Executive Committee of the Department. It would require a two-thirds (2/3) vote of the returned ballots that are returned within fourteen (14) days of the ballot being mailed by the Department. (Adopted at 1999 convention June 5, 1999, approved by National Judge Advocate 7-9-99) (Amended at 2003 convention, approved by National Judge Advocate 6-20-03)

SECTION 18 – STANDARD OF CONDUCT

R-18.1: Standard of Conduct

Any individual accepted and enrolled as a member of DAV, Department of Arizona, will be presumed to be of good moral and ethical character, not unlike those standards required by the Uniformed Military Services of the United States. Therefore, it shall be the policy of this Department that all members will act and conduct themselves at all times and places as will only affect the good of the organization. Any member who conducts themselves in a manner which is considered ill moral or unethical in character and is detrimental to the organization can be sanctioned up to and including removal from office (if an elected or appointed officer) by a (3/4) vote of the SEC. (Amended by phone vote of the SEC and approved by the National Judge Advocate on 8/2/2018.)

R-18.2: Harassment Policy

Department Sexual Harassment Policy as adopted at Department Midterm Conference held on January 19, 2019.