

**CONSTITUTION & BYLAWS
OF THE**

Disabled American Veterans



Department of Wisconsin, Inc.

As adopted at State Convention at Green Bay, WI on June 8, 2019

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 patriotism; strive for a better understanding between nations that peace and goodwill may prevail; to cherish and preserve the memories of our military association; and to aid and assist worthy wartime disabled veterans, their widows, their orphans and their dependents.

ARTICLE I – NAME

The name of this organization shall be “Disabled American Veterans Department of Wisconsin, Incorporated,” a corporation known hereafter as the “Department”.

ARTICLE II – PURPOSE

The purpose of the Department shall be the same as that of the National Organization, namely; 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 to membership fought; to advance the interests and work for the betterment of all wounded, gassed, injured, and disabled veterans; to cooperate with the United States Department of Veteran Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests 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.

ARTICLE III – MEMBERSHIP

Qualification for membership in this Department shall be as prescribed in the National Constitution and Bylaws at the time of application.

This Department shall not have honorary members.

ARTICLE IV – POWERS

To have perpetual succession with the power to sue and be sued in the 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 constitution and bylaws and regulations to carry on its purposes, not inconsistent with the laws of the United States or the State of Wisconsin; or in the Constitution and Bylaws of the National Organization; to establish and maintain offices for the conduct of its business;

to establish local chapter; to publish newspaper or other publication devoted to the purpose of the corporation and generally to do any and such acts and things as may be necessary and proper in carrying out the purposes of the Department.

ARTICLE V – ADMINISTRATION

Section 1 All administrative affairs of this Department shall be vested in an Executive Committee, to be composed of the Department Commander, Immediate Past Department Commander, Senior Vice Commander, Junior Vice Commanders, Benefits Protection Leader and Judge Advocate and the five District Executive Committee Members.

Section 2 Elected Officers of the Department shall consist of the Department Commander, Senior Vice Commander, three (3) Junior Vice Commanders, Judge Advocate and Benefits Protection Team Leader.

Section 3 Appointed Officers of the Department shall be the Department Adjutant, Treasurer, Legal Advisor, Chaplain, State Inspector, Chief of Staff, Sergeant-at-Arms, Officer-of-the-Day, State Veterans Administration Volunteer Services (VAVS) Chairperson and other appointees as necessary to fulfill the mission of the Department.

ARTICLE VI — LEGISLATION

The supreme legislative powers of the Department shall be vested in a State Convention, which shall be composed of the Department Officers, representatives of the Districts, and Chapter organizations, which are now, or may be hereafter included in this organization.

ARTICLE VII — EXECUTIVE

The executive authority of this organization shall be vested in the Department Commander.

ARTICLE VIII — AUXILIARIES

This organization recognizes a DAV Auxiliary an auxiliary unit of the Disabled American Veterans, subject to its supervision and recommendations.

ARTICLE IX — AMENDMENTS

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 ratifications must take place prior to the next Department Convention.

Bylaws

ARTICLE I Establishment and Jurisdiction

SECTION 1. Under the authority of the Constitution and Bylaws of the National Department of the Disabled American Veterans (congressionally chartered) and of the corporation laws of the State of Wisconsin, there is established the "Disabled American Veterans, Department of Wisconsin, Incorporated" (Department) with the principal office in such city in the state of Wisconsin as determined by Department Executive Committee (DEC).

SECTION 2. This Department will consist of the members of all chapters existing in the state of Wisconsin under the provisions of the Constitution and Bylaws of the Department and of the National organization.

SECTION 3. This Department recognizes the National Organization known as Disabled American Veterans, incorporated by Act of Congress, and affirms its allegiance, and subordination, to the National Organization, its Constitution, Bylaws and all rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Department, the assets remaining after the payment of its debts will be distributed as provided in Article 6, Section 6.4, Paragraph 5, of the National Bylaws.

SECTION 4. The ABSOLUTE POWER in this Department is vested in the Department Convention.

ARTICLE II Purpose

SECTION 1. The purpose of the Disabled American Veterans, Department of Wisconsin, Incorporated, will be the same as that of the National organization, namely; 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 to membership fought; to advance the interests and work for the betterment of all wounded, gassed, injured, and disabled veterans; to cooperate with the United States Veterans Administration and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests 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.

ARTICLE III Chapter Membership

SECTION 1. Qualification for membership in any chapter under the jurisdiction of this Department will be as prescribed in the National Constitution and Bylaws at the time of application.

SECTION 2. No chapter within the jurisdiction of the Department will have honorary members. It will be the policy of the Department of Wisconsin to encourage life membership among its members.

SECTION 3. Any member in good standing at the time of application must transfer his membership to another chapter upon notification to the National Organization and with the consent of the receiving chapter. No transfer will affect the voting strength of any chapter within the jurisdiction

of the department until the beginning of a new fiscal year, nor will there be any refund of dues to the receiving chapter.

ARTICLE IV

Department Districts

SECTION 1. For the dissemination of DAV information, the Department of Wisconsin will be divided into numerically identified districts with boundaries defined by state counties:

DISTRICT 1 Columbia (CH 60), Dane (CH 2), Dodge, Green, Jefferson (CH 63), Kenosha (CH 20), Milwaukee (CH 1, 19, 44), Ozaukee, Racine (CH 9, 34), Rock (CH 14), Walworth, Washington (CH 58) and Waukesha (CH 5) (13 Counties).

DISTRICT 2 Adams, Buffalo, Crawford, Grant (CH 40), Iowa (CH 67), Jackson, Juneau (CH 38), La Crosse (CH 12), Lafayette, Monroe (CH 27), Richland (CH 32), Sauk (CH 8), Trempeleau, Vernon, and Wood (CH 55, 57) (15 Counties).

DISTRICT 3 Ashland (CH 28), Barron (CH 52), Bayfield, Burnett, Chippewa (CH 21), Clark, Douglas (CH 4), Dunn, Eau Claire, Iron, Pepin, Pierce, Polk, Price, Rusk (CH 33), St. Croix, Sawyer, Taylor (CH 31, Washburn and (19 Counties).

DISTRICT 4 Florence, Forest (CH 43), Langlade (CH 23), Lincoln (CH 29), Marathon (CH 64), Marinette (CH 42), Menominee, Oconto (CH 45), Oneida (CH 62), Shawano, and Vilas (CH 56) (11 Counties).

DISTRICT 5 Brown (CH 3), Calumet (CH 65), Door, Fond du Lac (CH 11), Green Lake, Kewaunee, Manitowoc (CH 24), Marquette, Outagamie (CH 18), Portage (CH 30), Sheboygan, Waupaca (CH 53), Waushara (CH 51), Winnebago (CH 17) and (14 Counties).

SECTION 2. As stated in Article 8 of the DAV National Bylaws, no district will exercise the powers of a governing body, conduct any fundraising drive, or be granted legislative powers.

- (a) No funds will be disbursed to the Districts by the Department.
- (b) No District will initiate or maintain a petty cash fund or a treasury.

SECTION 3. District elections will be held in the following manner:

- (a) Odd-numbered Districts will be held in odd-numbered years.
- (b) Even-numbered Districts will be held in even-numbered years.

SECTION 4. Each District will elect an Executive Committee Member, Alternate Executive Committee Member, Benefits Protection Team Member, Nominating Committee Member, and Alternate Nominating Committee Member.

- (a) Each elected official will serve a two year term.
- (b) If the District Executive Committee Member's position becomes vacant, the Alternate Committee Member will assume the duties, at which time, the Executive Committee Member will appoint a new Alternate Executive Committee Member.
- (c) If the Benefits Protection Team Member, Nominating Committee Member, or Alternate Nominating Committee Member positions should become vacant, the Executive Committee Member will make an appointment to fill the vacancy.

SECTION 5. Each District election will be uniform and conducted in the following manner:

- (a) Each chapter in its respective District will receive one vote and one additional vote for each 25 members (or a major fraction thereof) as described in Article X, Section 2 of the Department Bylaws.

SECTION 6. Each District will form an Advisory Committee consisting of the District Executive Committee member, Alternate Executive Committee member, Immediate Past District Executive Committee member, District Benefits Protection Team Member, District Nominating Committee Member, and all District Chapter Commanders.

- (a) The District Executive Committee Member will call an Advisory Committee meeting within 60 days following the department convention.
- (b) No funds will be disbursed to a District Executive Committee Member unless he/she has formed an Advisory Committee and has complied with the aforementioned Advisory Committee requirement.

SECTION 7. Duties of the District Executive Committee Member will be as follows:

- (a) Prepare and present a written report at each of the following events: Department Convention and Fall Conference.
- (b) Represent the Department Commander when called upon to do so.
- (c) Serve on the Department Executive Committee.
- (d) Assist chapters within their District.
- (e) Respond to problems and/or complaints within the District on behalf of the department.
- (f) Request assistance from the Department Commander if needed.
- (g) Conduct meetings and perform other duties as described in the Official Ritual of the DAV.
- (h) Serve as a member of the Department Membership Committee and work with the Department Membership Chairperson to promote DAV membership.
- (i) Promote and publicize the DAV Mission Statement and Policy of the National Organization consistent with the DAV National Constitution and Bylaws and in keeping with the best interest of the organization.
- (j) Conduct at least one visit to each chapter within the district bi-annually to perform an assessment and provide assistance to chapter officers and members to ensure the effective operation of the chapter concerning but not limited to matters of understanding the mission of the DAV, fundraising, annual donations, membership, official meeting ritual, chapter hospital program participation with the VAVS Representatives and State Veterans Home Liaisons in local facilities, Local Veterans Assistance Program (LVAP) guidance, etc.
- (k) Call for a District Conference each year by December 31st.
- (l) The District Executive Committee Member Manual will provide guidance related to the District Executive Committee Member position.
- (m) Perform additional duties in support of the mission of the DAV as should be assigned by the Department Commander

SECTION 8. District Alternate Executive Committee Member will visit the home chapter of the District Executive Committee member its assessment.

- (a) The District Benefits Protection Team member and District Nominating Committee member will serve on their respective committees at the Department Convention.
- (b) The Alternate Nominating Committee Member will replace the Nominating Committee Member at the Department Convention, if the Nominating Committee Member is unable to serve.

SECTION 9. All travel expenses for District Executive Committee Member and Alternate Executive Committee Member, while performing their duties, will be performed on a per mile basis consistent with the current Department Travel Expense Reimbursement rate authorized by the Department Executive Committee.

SECTION 10. No District Conference will be scheduled, called and conducted until approved by the Department Commander.

- (a) To ensure that all information is properly disseminated at District Conferences all State Officers, candidates for State Office, visitors, and guests will speak before business is discussed.
- (b) District Executive Committee Members will perform all their duties as prescribed in this Article as well as duties as members of the Department Executive Committee as prescribed in Article IX of this document.

ARTICLE V

Qualification for Office

SECTION 1. Any person who is a member of the department in good standing will be eligible to hold any elective or appointive office within his chapter or this department, except as otherwise provided in this Constitution and Bylaws.

SECTION 2. If any chapter or department officer fails to remain a member in good standing in this department during his term of office because of non-payment of dues, including state and national per capita tax, the office to which he was elected or appointed will immediately become vacant until a successor has been validly elected or appointed.

ARTICLE VI

Department Elective Officers

SECTION 1. On the first day of each convention the prospective candidates for new offices will be introduced with nominations to be made immediately prior to the election of officers. Prior to the adjournment of each annual Department Convention, the registered delegates, all Department Officers and Past Department Commanders (PDCs) duly certified to vote by the Convention Credentials Committee will elect a Commander, Senior Vice Commander, 1st Junior Vice Commander, 2nd Junior Vice Commander, 3rd Junior Vice Commander, Judge Advocate and Benefits Protection Team Leader.

Each district will elect (as directed in Article IV, Section 4) a District Executive Committee member, Alternate District Executive Committee member, District Benefits Protection Team Leader, District Nominating Committee Member and Alternate District Nominating Committee Member at a district conference prior to the annual state convention. Such elected District Executive Committee Member, Alternate Executive Committee Member, District Legislative Officer, District Nominating Committee Member and Alternate District Nominating Committee Member will be presented to the

annual state convention for confirmation. The Alternate Executive Committee Member will assist the District Executive Committee Member at their request.

SECTION 2. The term of all elective officers will expire as soon as their successors have been elected and installed. Vacancies in an elective office by reasons of death, resignation, indefinite absence from the state, or for any other reason will be filled for the period of vacancy through appointment by the Department Commander and confirmation by the Department Executive Committee.

SECTION 3. The Department Commander will be the Executive Officer of the Department, also known as the State Organization and corporation. As such, he or she in his or her absence the next highest officer, will preside at all Department Executive Committee meetings and be responsible for the maintenance of order and for the dispatch of department business; will oversee all checks for the legitimate disbursement of funds; will perform the duties of his office as indicated by convention mandates, by (DEC) action, or by the Department or National Organization. The elected and incumbent Department Commander, only if nominated and duly elected, may succeed themselves in office on a one-time, one additional term of elective office basis as Department Commander not to exceed two (2) successive elective terms of office.

SECTION 4. The Department Senior Vice Commander will assist the Department Commander upon request in his administrative duties; and in the event of death, resignation, removal, or inability of the Department Commander to discharge his or her duties, will assume the duties of Department Commander for such period of vacancy or inability to act. Should the duly elected Department Commander resign, die or become totally incapacitated while in office, the Senior Vice Commander shall assume both the office and duties of the Department Commander for the remainder of that non-elective term. He or she will not have the fulfillment of the remainder of that non-elective term of office charged against him or her in respect to Article VI, Section 3, although it will be his or his sole option whether he or she elects to run for another term of elective office. The Department Senior Vice Commander will be the Department Membership Director. The Senior Vice Commander will also oversee media relations and outreach.

SECTION 5. The 1ST Junior Vice Commander will assume the duties of the Senior Vice Commander during any period in which such officer is unable to act and will perform such other duties as the Commander or Department Executive Committee may direct. The 1st Junior Vice Commander will be on the VAVS Committee.

SECTION 6. The 2nd Junior Vice Commander will assume the duties of the 1st Junior Vice Commander during any period in which such officer is unable to act and shall perform such other duties as the Commander or the Department Executive Committee may direct. The 2nd Junior Vice Commander will be the Local Veterans Assistance Program (LVAP) Coordinator.

SECTION 7. The 3rd Junior Vice Commander will assume the duties of the 2nd Junior Vice Commander during any period in which such officer is unable to act and shall perform such other duties as the Commander or the Department Executive Committee may direct. The 3rd Junior Vice Commander will be the Department Youth Awards Committee Chairman and Jesse Brown Youth Scholarship Committee Chairman.

SECTION 8. The Department Judge Advocate will be the advisor on matters concerning interpretation of the DAV Constitution & Bylaws at both the chapter and Department levels. He/she will, when necessary and/or practicable, seek guidance from the National Judge Advocate and/or Inspector General. They will, upon request of the Department Commander, or the DEC, or of the Department Convention, render their opinion upon all questions arising out of the Department,

including its subordinate organizations. If the Department should receive a request from any chapter for an interpretation of any part of its Constitution and Bylaws, the Commander will refer such question to the Department Judge Advocate for his written opinion. All opinions rendered by the Department Judge Advocate are to be understood to be advisory only, and not mandatory.

The Commander may direct the Department Judge Advocate to act as the Parliamentarian for any or all sessions of the Annual Department Convention, and Annual Fall Conference as well as for any or all Department business meetings.

SECTION 9. The Department Benefits Protection Team Leader will represent the Department as assistant to the Commander in promoting state and national legislation beneficial to the welfare of veterans disabled in wartime service. In the absence of the Department Commander, it will be his duty to advise the members and committees of legislative bodies regarding the needs of members. They will keep the Commander informed of important developments in legislative activity and will make a presentation to the convention body detailing activities performed and events attended in both the exercise of their constitutional duties as well as providing an account of any and all assigned duties representing the Department Commander and/or the State Organization.

- (a) Immediately following the Department Convention, the Department Benefits Protection Team Leader will collect all resolutions relating to veteran's legislation and will forward same to the State of Wisconsin Council on Veterans Programs (COVP) to be promoted through the Wisconsin legislature and through the Wisconsin Department of Veterans Affairs as part of the Annual DAV Department of Wisconsin Legislative Programs to the Wisconsin Legislature.
- (b) The Benefits Protection Team Leader will actively endorse the bills introduced by the Council on Veterans Programs as well as bills endorsed by the Wisconsin Department of Veterans Affairs, unless clearly against DAV policies and convention mandates.

SECTION 10. Any officer elected by the Department Convention may be recalled upon a written demand and signed petition consisting of members in good standing supportive of such recall petition by any group of chapters whose combined delegate votes of the preceding annual convention would have constituted a majority of the Department delegate votes, provided such a group also constitutes a majority of the Department chapters represented at such convention. Following the certification of a clear delegate majority established by means of said recall petition by the DEC, a successful recall certification will be cause to effect the Department Commander to make an appointment to fill the vacancy caused said recall, he or she must further elect to referring the matter for investigatory and/or disciplinary action in the case of a grievous offense equating to a serious violation of the Constitution & Bylaws of the National or State Organization. General rules of good conduct and decorum will apply uniformly to all members, including officers of the Department Organization.

ARTICLE VII

Department Committees and Appointed Officers

SECTION 1. There will be nine (9) standing committees in the Department: Membership, Media, Constitution and Bylaws, Finance, Rehabilitation and Hospital, Benefits Protection, Nominating, Human Resources, and Women Veterans.

- (a) The Department Commander, subject to the approval of the Department Executive Committee, will have the power to appoint such other committees and department officers as they deem appropriate, but such appointed members will not incur any expense without prior authorization of the Finance Committee.

- (b) No member of any committee will give any publicity to the findings of that committee without the prior consent of the Department Commander.

SECTION 2. Unless otherwise provided in this Constitution and Bylaws, the Department Commander, with the approval of the Department Executive Committee, will appoint the chairman and the members of the committees. The term of the members of the committees will not exceed that of the terms of office corresponding to the installation of officers following the associated Department Convention unless otherwise specified herein. The Department Commander, with the approval of the Department Executive Committee, may replace any member of any committee.

- (a) In the event the duties of any standing committee are not sufficiently defined by the Constitution and Bylaws, the Commander, or a sub-committee of members of the Department Executive Committee appointed by the Commander, will be authorized to outline the duties of such committee.
- (b) The chairman of each committee must furnish the Department Commander with a list of potential committee members who have had valuable experience and training in the work to be performed. Any member of this Department in good standing is eligible to be considered for all committees.

SECTION 3. The appointment of and duties of the Department Inspector, Chaplain, Officer of the Day, Chief of Staff, Sergeant-at-Arms, Webmaster, or other appointed officers, will be as indicated in the Official Ritual and as usually performed by such officers, or as the Commander may request.

SECTION 4. The number of persons deemed necessary to perform the essential functions of the Department Membership Committee will be determined annually, based on the programs and suggestions of the Membership Chairman. It is recommended that the Department Junior Vice Commander and a member of the National Service Office be a part of this committee. The funding for this committee is set forth in Article XII, Section 2.

Membership Subcommittee will be formed in each district consisting of the District Executive Committee Member, Alternate District Executive Committee Member and two (2) members of each district to serve during the term of the Department Executive Committee .

- (a) The duties of this Subcommittee will be the promotion of membership throughout the department area. This includes, but is not limited to: recruitment of new members, starting new chapters, promoting open meetings, assisting in promoting the National Van Program in Wisconsin, and through assisting local chapters in membership recruitment.

SECTION 5. The Media Committee will be composed of the Department Adjutant, Department Deputy Adjutant, Department Benefits Protection Team Leader and two (2) members of the department in good standing appointed by the Department Commander, subject to approval of the Department Executive Committee.

- (a) The duties and responsibilities of the Media Committee will be to promote Disabled American Veterans, Department of Wisconsin, and its' Mission Statement to the general public, by utilizing appropriate media opportunities in a swift and expeditious manner.

SECTION 6. The Constitution and Bylaws Committee will be composed of at least five (5) members, one of which will be the Immediate Past Commander (IPC). The Chairperson of the Constitution and Bylaws Committee will be the Department Judge Advocate.

- (a) The duties of this committee will include, but are not limited to, considering all proposed amendments to this document as will have been referred to it by Convention mandate or as will be further authorized by constitutional provisions. It will have the additional duty of preparing proposed amendments for the removal of conflicts caused by changes made to the DAV National Constitution and Bylaws and/or changes to the DAV Mission Statement, official policy, parlance or to the DAV Official Ritual that has been duly ratified by the National Executive Committee and ordered implemented by the National Adjutant.
- (b) This committee will act as the Constitution and Bylaws Committee at the Department Convention and the Commander will be empowered to fill all vacancies because of absence from the Department Convention of any of its members.

SECTION 7. The Department Finance Committee will be composed of five (5) members of the Department. The members will be appointed as follows: one member for four (4) years, one member for three (3) years, one member for two (2) years, and one member for one (1) year, and the Department Commander. The member appointed for one year will act as chairperson. Following completion of the appointment year, the member will advance to the next appointment term in declining fashion (e.g. 4 years to 3 year, 3 years to 2-year, 2 years to 1 year, and 1 year to completion). The Department Adjutant, the Immediate Past Commander and the Department Treasurer will be ex-officio members consistent with advisory membership absent of the voting privileges of regular committee members.

- (a) The Finance Committee will annually recommend for approval of the Department Executive Committee, a budget of department funds for general, hospital and transportation programs. The committee will arrange a depository of department funds.
- (b) The Finance Committee will annually recommend the salary of the Department Adjutant, Department Treasurer, Office Clerk-Bookkeeper, Office Clerk-Administrative, Department Transportation Manager (TPM)-North, Department Transportation Manager (TPM)-South, VAMC Milwaukee Hospital Services Coordinator (HSC), VAMC Tomah HSC, VAMC Madison HSC or any combination of positions deemed necessary or practicable or as a matter of efficiency of services and/or economics. The salaries are to be approved by a two-thirds (2/3) vote of approval of the Department Executive Committee.
- (c) The Finance Committee will recommend to the Department Executive Committee any expense accounts for the Department Adjutant that may be necessary to promote the welfare of the Disabled American Veterans.
- (d) The Finance Committee will conduct quarterly audits and monitor the department budget to ensure that prior notification is given to the Department Executive Committee of any accounts that must exceed its proposed annual budget.
- (e) The Finance Committee will provide a written approval of payment of all bills of expense and will perform such duties as must be delegated by the Department Executive Committee.

SECTION 8. The Rehabilitation and Hospital Committee will be composed of ten (10) members of the Department. The members will be appointed as follows: The State VA Voluntary Services (VAVS) Chairman a VAVS representative from each of the three (3) Veterans Administration Medical Centers (VAMCs) at Madison, Tomah and Milwaukee, the Associate VAVS Representative from the Veterans Administration Medical Centers at Minneapolis, Minnesota and Iron Mountain, Michigan, Liaison Officers of the State Veterans Homes at King and Union Grove and Chippewa Falls and the Department Service Director. The National Service Officer (NSO) Supervisor or Assistant NSO Associate Supervisor

and the 1st Junior Vice Commander will serve on the committee as ex-officio members, consistent with advisory membership absent of the voting privileges of regular committee members.

The State VAVS Chairperson will be the Chairperson of the Rehabilitation and Hospital Committee.

- (a) The duties and responsibilities of this committee will be, but not limited to, to survey and recommend to the Department Executive Committee advisable actions, and programs to promote the welfare of hospitalized veterans and their dependents, and outline programs of service work in the Department. The committee will meet immediately prior to the Department Convention, at Department Fall Conference, or at the call of the chairman with the approval of the Department Executive Committee.
- (b) The Department VAVS Chairman will be recognized as the Department Liaison between the Veterans Administration (VA) Medical Centers and Clinics as well as State of Wisconsin Veterans Homes. Department VAVS Representatives, State Veterans Home Liaisons, the State VAVS Chairman, Department Elective and Appointed Officers, Members and all DAV Volunteers will comply with all regulations and rules established by the DAV National Voluntary Services Program Director. The Department VAVS Chairman will not be a VAVS representative or deputy.
- (c) In the appropriate even years, the Department Commander will recommend for certification to the National Voluntary Services Director, the name of a member of this Department to be considered for the position of Department VAVS Chairperson. The Department VAVS Chairman will be responsible for coordinating the VAVS Program in the Department and educating the DAV chapters as to their responsibilities in the DAV Voluntary Services Program. They will ensure, as much as practicable, that all VA Medical facilities and State Veterans Homes are staffed with at least one VAVS Representative or State Veterans Home Liaison and such Deputies as recommended by each facility's VAVS Representative or State Veterans Home Liaison and as are permissible by staffing standards established by the National Voluntary Services Director and/or state or federal officials in accordance with staffing recommendations made by Department VAVS Chairperson under authorization from the Department Executive Committee. When making an initial VAVS Representative or Deputy Representative certification/appointment recommendation and/or upon receipt of each request for renewal of certification of VAVS Representatives and/or Deputy Representatives, the names of individuals receiving a recommendation will be expeditiously submitted by the VAVS Representative of each VA Medical Facilities as well to the State VAVS Chairperson, he or she possessing oversight authority to approve or deny and/or modify the corresponding VAVS Representative's initial certification/appointment recommendation by submission of their final recommendation to the National Voluntary Services Director. He or she will ensure that the VAVS Representative of each VA Medical Facility and State Veterans Home Liaison submit a monthly activities report to the State VAVS Chairperson, who will forward those reports corresponding to each VA Medical Facility's DAV VAVS Program to the National Voluntary Service Director.
- (d) The Department VAVS Chairperson will promote the interests of the Department Rehabilitation & Hospital Committee and will promote and publicize the virtues of both chapter participation with the VAVS Representatives and State Veterans Home Liaisons in conducting their own Local Veteran Assistance Program (LVAP)-qualified hospital program at nearby VA medical facilities and/or state veterans homes as well as in providing chapter donations for funding of the VA Voluntary Services (VAVS) Program and Hospital Fund, by means which DAV Voluntary Services Program

volunteers are provided with a small daily stipend to offset personally owned vehicle (POV) transportation costs

SECTION 9. The Benefits Protection Committee will be comprised of the Benefits Protection Team Member duly elected at each District Conference. The Department Benefits Protection Team Leader will be the Chairperson of the Benefits Protection Committee.

- (a) The duties and responsibilities of the Benefits Protection Committee will be to actively discuss and make recommendations to the Department Executive Committee and Convention body all resolutions pertaining to Benefits Protection in the form of state and federal legislative and federal and states veterans affairs agency regulatory and/or administrative matters affecting the veteran community as a whole and not particularly affecting those domiciled or utilizing services in facilities or programs managed by state or federal veterans affairs departments or other quasi-governmental contracted facilities, programs and/or providers
- (b) This committee will enthusiastically and actively endorse and promote any and all state and/or federal resolutions pertaining to legislative or agency administrative veteran issues that have been duly voted on and approved by majority vote of the department convention.

SECTION 10. The Nominating Committee will be composed of five members. Each District will elect one person to serve on the committee. The committee will elect its own chairman. Each district will also elect an alternate to serve in the event the elected Nominating Committee member is unable to perform his duties.

- a) The duty of the Committee is to seek out qualified members to serve the Department in the elective offices as outlined in Article VI, Section I of the Department Bylaws. The members elected to the Nominating Committee will be elected at their respective Spring District Conferences, the odd numbered districts will conduct elections in the odd numbered years, and the even numbered districts will conduct elections in the even numbered years.
- b) The term of each elected District Nominating Committee Member and Alternate District Nominating Committee Member will coincide with the elective term of that of the respective District Executive Committee Member and Alternate District Executive Committee Member being installed and seated following the close of the annual Department Convention held during the prior term/fiscal year.
- c) The Nominating Committee will make a recommendation to the convention body corresponding to the candidate being recommended for each office being contested prior to the election being conducted.

SECTION 11. The Human Resources Committee will be composed of at least five (5) members of the department, in good standing, four of whom will be the Commander, Senior Vice Commander, Immediate Past Commander, and the Chairman of the Finance Committee. The Commander will appoint the remaining member while the committee will appoint its own chairperson subject to approval by Department Commander. The Department's Legal Advisor will serve as an advisor to the committee. All expenses relating to this committee will be considered annually when determining the Department's budget. The duties and responsibilities of this committee are to review existing personnel policies and develop and/or recommend changes to personnel policies and procedures for Department employees.

SECTION 12. The Transportation Committee will be composed of five Hospital Service Coordinators (HSCs) from the following VA Medical Centers (VAMCs) or Community Based Outpatient

Clinics (CBOCs): Milwaukee, Madison, Tomah, Appleton, Green Bay, Superior and Iron Mountain, MI, as well as one or more individuals appointed to oversee HSCs and DAV Transportation Program operations for designated VA Medical Center (VAMC) or Community Based Outpatient Clinic (CBOC). The committee co-chairpersons will be the North & South Regional Transportation Program Managers.

The duties of this committee will include assisting veterans with transportation needs to get to their scheduled appointments at VAMCs, VA Clinics or CBOCs or related government VA travel. This will be accomplished by determining appropriate routes to and from these facilities, including various pick-up and drop-off points. The HSCs need not be members of the DAV or DAV Auxiliary. The HSCs are responsible for the recruitment of drivers and volunteers for their offices. They will be responsible for the out-stationing of vans as deemed necessary. All work assignments and activities of the HSCs will fall under the managerial authority of the TPM(s). The TPM(s) and HSCs will ensure that DAV Transportation Program operational functions dovetail with the functions managed by the DAV VAVS Representative, who will assist in publicizing the need for program volunteers, and will, upon request, serve as a liaison between the VA Voluntary Services Chief, VA Voluntary Services Executive Committee and VAVS Committee, facility administration and staff toward the overall goal of providing the TPD, TPM(s) and HSCs with the DAV program and services support under their management toward ensuring that DAV provides an effective and efficient Transportation Program in each VA facility wherein veteran transportation services are offered to eligible ambulatory veterans.

SECTION 13 The Women's Veterans Committee will be composed of five members appointed by the State Commander with approval of the DEC. The chairman of said committee will be determined by the Department Commander. The purpose of this committee will be to advocate for and champion solutions to the unique challenges faced by Women Veterans in utilizing their earned benefits.

- (a) The Department Judge Advocate will be an advisor to the committee,
- (b) The Chairperson will seek volunteers to assist with;
 - i. Outreach Program(s)
 - ii. Secretary (for meeting minutes)
- (c) The Committee will meet at Fall Conference and State Convention to discuss Women's Veterans issues,
- (d) The Chairperson will work with DAV National staff to enhance and expand Women Veteran's Programs,
- (e) The Chairperson will provide a report for Fall Conference and State Convention; as well as an article for State Convention book.

ARTICLE VIII

Department Adjutant, Deputy Adjutant, Department Treasurer, Deputy Treasurer, Office Clerk-Administrative, Office Clerk-Bookkeeper, Department Inspector, Deputy Benefits Protection Team Leader, Transportation Program Director, Transportation Program Manager-North, and Transportation Program Manager-South

SECTION 1. Upon installation, the Commander will expeditiously appoint a Department Adjutant, Deputy Adjutant, Department Treasurer, Deputy Treasurer, Office Clerk-Administrative, Office Clerk-Bookkeeper, Department Inspector, Deputy Benefits Protection Team Leader, Transportation Program Director, Transportation Program Manager-North, and Transportation Program Manager-South subject to approval by the (DEC).

- (a) Unless the Department Adjutant is under a contract approved by the Department Convention, all appointments made by the Commander upon installation will be annual.
- (b) All appointments made by the Commander upon installation will be a member in good standing of the Disabled American Veterans.
- (c) The salaries of the Department Adjutant; Treasurer; Office Clerk(s); employees deemed necessary by the Department Adjutant; and Transportation Program Director will be based on assessments made by the State Commander; recommendations made by the Human Resource Committee, and the Department Finance Committee; subject to final approval by the (DEC).

SECTION 2. Department Adjutant; Duties

- (a) The Department Adjutant, subject to the instructions of the State Commander, (DEC) and Department Convention, will supervise all activities of the Department.
- (b) In addition to other duties set forth in the Department's Employee Handbook, the Department Adjutant will be the Chief Operating Officer of the Department and will be the Secretary of and attend the meetings of the (DEC), and will have a voice, but no vote.
- (c) The Department Adjutant, with the consent of the State Commander, will appoint an Office Clerk-Administrative and Clerk-Bookkeeper and other employees as he or she deems necessary to conduct the affairs of their office.
- (d) The Department Adjutant will have oversight on all employee matters as defined in the Department's Employee Handbook, subject to adoption and approval of said Handbook by the (DEC).
- (e) In the event of removal of the Department Adjutant from office, or their death, resignation or inability to discharge the duties of their office, the duties of the Department Adjutant will be assumed by the Deputy Adjutant, who will serve as acting Department Adjutant until the Department Adjutant resumes their office, or until their successor assumes office.
- (f) The Deputy Adjutant will perform duties in support of the Department Adjutant as specified by the Department Adjutant with the consent of the Department Commander. The Deputy Adjutant will perform the duties of the Department Adjutant in the case of incapacitation, resignation, release from staff service, and or death until a subsequent staffing determination is rendered by the Department Commander.

SECTION 3 Office Clerk-Administrative and Office Clerk-Bookkeeper Duties

- (a) The Office Clerk-Administrative and Officer Clerk-Bookkeeper will perform all the duties prescribed in the Department's Employee Handbook to their position.
- (b) All employees deemed to be necessary by the Department Adjutant will perform all the duties prescribed in the Department's Employee Handbook to their positions.
- (c) The Office Clerk-Administrative and Office Clerk-Bookkeeper and other employees deemed to be necessary by the Department Adjutant may be members of the Disabled American Veterans, but such membership is not required.

SECTION 4 Treasurer; Duties

- (a) The Department Treasurer will be the Chief Financial Officer of the Department and will perform all the duties as prescribed.
- (b) The Deputy Treasurer will perform duties in support of the Department Treasurer as specified by the Department Treasurer with the consent of the Department Commander. The Deputy Treasurer will perform the duties of the Department Treasurer in the case of incapacitation, resignation, release from staff service, and/or death until a subsequent staffing determination is rendered by the Department Commander.

SECTION 5 Department Inspector; Duties

- (a) The Department Inspector will, under the supervision and direction of the Department Commander, investigate any alleged violation of Chapter, Department or National Constitution and Bylaws, including but not limited to occurrences, which must impugn the integrity or reputation of the organization.
- (b) The Department Inspector, at the direction of the Department Commander, will inspect and/or audit the books, records, and accounts of a chapter. He will insure that all fund raising and expenditure of said funds are in accordance with the relevant DAV National & Department of Wisconsin Constitution & Bylaws.
- (c) Upon the completion of an investigation, inspection or audit, the Department Inspector will render a written report of his findings and recommendations to the Department Commander.

SECTION 6 Transportation Program Director; Duties

- (a) The Transportation Program Director (TPD), under the supervision and direction of the Department Commander, will perform all the duties as prescribed by the Department's Employee Handbook to their position.

SECTION 7. Deputy Department Benefit Protection Team Leader; Duties

- (a) The Deputy Department Benefit Protection Team Leader, under the supervision of the Department Benefit Protection Team Leader, will assist with traveling, hearings and other matters related to legislative issues that pertain to wounded, injured and ill veterans and their families.
- (b) In the event of removal of the Department Benefit Protection Team Leader from office, their death, resignation or inability to discharge the duties of their office, the duties of the Department Benefit Protection Team Leader will be assumed by the Deputy Department Benefit Protection Team Leader, who will serve as acting Department Benefit Protection Team Leader until the Department Benefit Protection Team Leader resumes their office, or until their successor assumes office.

**ARTICLE IX
Department Executive Committee**

SECTION 1. The Commander, Senior Vice Commander, Junior Vice Commander, Judge Advocate, Benefits Protection Team Leader, all District Executive Committeemen and Immediate Past Commander will form a corporation board of directors, which will be known as the (DEC). The Department Adjutant will act as Secretary without a vote on questions before the committee.

SECTION 2. All members of the board will have a vote on all questions to be decided by the (DEC). A quorum will consist of a majority of the members privileged to vote.

SECTION 3. A (DEC) meeting will be held immediately following the adjournment of the Department convention in the convention city. Any business that cannot be completed at the meeting following adjournment of Department Convention will be completed by Executive Committee ballot at a later date. Additionally, a (DEC) will be held within forty-eight hours preceding the opening of the convention. For vital reasons as stated in a written notice at least ten days in advance of the meeting date to all members of the committee, the Commander, or any five members must call a special meeting of the (DEC), provided a majority of such committee will indicate in writing their intentions of attendance. Members who are unable to be present at such special meeting will have the privilege of submitting their vote on the question by mailing their ballot to the Department Adjutant.

SECTION 4. At its first meeting following the election and installation of Department Officers, the (DEC) will outline policies as a guide for executive administration; will act on the confirmation of all appointed officers and members of standing committees not otherwise provided for in the Constitution and Bylaws; and will initiate action as necessary to carry out all convention mandates and all provisions of the Constitution and Bylaws.

SECTION 5. Between conventions, all administrative, legislative, and executive matters not otherwise regulated by action of convention body or Department Constitution & Bylaws will be determined by a majority vote of the (DEC). Any member must submit questions which deemed to be of sufficient importance for (DEC) consideration, and with the Department Commander's approval, the Department Adjutant will prepare a ballot and notify all members of the vote on each question submitted.

SECTION 6. The (DEC) will require an audit by a certified public accountant, who lives where the department depository is located, for the purpose of determining the correct cash balance, legality of expenditures, outstanding indebtedness, and to file a tax return.

ARTICLE X

Department Conventions

SECTION 1. The legislative powers of this department will be vested in the annual department convention, which will be held in the month of June. Except as otherwise provided herein or provided by the convention delegation in its adopted rules, the latest edition of Robert's Rules of Order, as revised, will be used as a guide in the conduct of convention business.

SECTION 2. Each chapter of not less than ten members in good standing will be entitled to one delegate and one alternate in addition to one delegate and one alternate for each twenty-five members, or a major fraction thereof, for who state and national per capita tax has been received by the National Organization at least fifteen days prior to the opening of the convention; provided, however, that recognition as a delegate will not be extended to members of a chapter which is indebted to the department. Chapters will elect such delegates and alternates, and each Chapter Adjutant will make a correct report of the election to the Department Adjutant at least fifteen days prior to the convention.

SECTION 3. An alternate becomes a delegate in the absence of a delegate, but, unless he is acting as a delegate, he will not be allowed the privileges of voting and, except by consent of the convention, will not be allowed the privilege of speaking before the convention. With one or more delegates or acting delegates present from a chapter, such delegation will have power to cast the full number of votes of the

chapter represented, and to cast such votes as each of those present desires. The votes to which the chapter is entitled to, will be divided equally among those delegates present. Membership figures, upon which voting is based, will be verified in writing by national headquarters in advance of the state convention.

SECTION 4. All elected department officers, all elected District Executive Committeemen, and the Immediate Past Department Commander will be recognized as convention delegates. Unless otherwise disqualified by provisions in this Constitution and Bylaws and except for the privilege of committee appointments, a Past Department Commander of this department, who is not an elected delegate, will have the privilege of voting upon all questions before a convention of this department.

SECTION 5. Delegates from a majority of all active chapters within the jurisdiction of this department will form a quorum for convention business.

SECTION 6. The rules in force at the close of a department convention will be the rules of a succeeding convention until amended by the convention body.

SECTION 7. In the call for a department convention, the (DEC) will have full power to provide the form of credentials necessary for recognition as delegates and alternate delegates and may recommend rules and regulations for the conduct of the convention business. A special department convention shall be called between annual conventions upon a written demand of a majority of the chapters within the jurisdiction of this department and after fifteen days' notice to all chapters of the department. At a special department convention the rules and voting strength will remain the same as were in force in the last annual department convention.

SECTION 8. Not later than the first business session, the Department Commander will announce the appointment of convention committees and their temporary chairperson, for the consideration of resolutions designed to benefit the organization or to promote the welfare of eligible veterans.

- (a) No committee will consist of less than three delegates, not more than one of whom must be from any one chapter. Each such committee will meet as soon as practical after appointments and at the call of the temporary chairman and shall elect a secretary and a permanent chairman. The committee secretary will promptly report the elections of the committee to the Department Adjutant. Each such committee will then be ready to consider all resolutions which must be properly referred to it by the Department Adjutant or by the convention, and it will report its recommendations to the convention.
- (b) All committees will exist for the duration of the convention. Convention committees will be designated as Credentials, Rules, Resolutions, Constitution and Bylaws, Finance and Dues, and such additional committees as may be appropriate to consider questions of legislation, place of convention, promotion of publicity, auxiliary coordination, rehabilitation and/or other proper objectives. The membership of these convention committees shall consist of two members of each respective standing committee,
- (c) With the assistance of the Department Adjutant, the Credentials Committee shall make out a roll call of Delegates, Department Officers and Past Department Commanders privileged to vote. The Credentials Committee shall determine ineligibility because of chapter indebtedness or other causes and shall determine the total number of votes to which each chapter is entitled. The Credentials Committee shall meet as necessity arises to consider the seating of delegates who claim a right to be seated. A discredited delegate shall have the right to appeal from action of the

Credentials Committee through consideration of this cause by the Convention body and subsequent vote. A Delegate's appeal to the Convention body will have the force of a motion and the presider/chair will call the vote, so long as the respective motion on the Delegate's appeal consideration has gained a second. Passage or failure of the motion on the Delegate's appeal consideration shall speak to the will of the Convention body and the presider/chair's ruling on the outcome vote on said motion shall stand without further appeal as the definitive ruling on the Delegate's appeal consideration. The Credentials Committee will adjust its roll call of Delegates based on said outcome vote of a Delegate's appeal consideration.

- (d) The Rules Committee will consider possible improvements in rules which were used in the conduct of business at the preceding convention, and it will report its recommendations to the convention as soon as practicable for adoption by the convention body.
- (e) The Resolutions Committee will consider all resolutions to which no special committee has been appointed. Unless otherwise provided, it will draft resolutions concerning appreciation, condolences and similar courtesies.
- (f) The Constitution and Bylaws Committee will report to the convention all resolutions which aim to alter the Constitution and Bylaws for a first reading at least six hours before such committee makes its final recommendation to the convention body.
- (g) The Finance and Dues Committee will consider all resolutions relating to state department finances. Upon such questions bring found that may affect the Constitution and Bylaws, the committee will promptly report its findings to the Constitution and Bylaws Committee. In the case of all other matters, it will make its recommendations to the convention body.
- (h) Except as otherwise provided herein, all convention committees will follow the procedures as contained in the rules adopted by the convention.

SECTION 9. Nothing in this Constitution and Bylaws will be construed to give any person the right to participate in any department convention unless he is a member in good standing of a chapter under the jurisdiction of this department.

ARTICLE XI

Chapter Organization

SECTION 1. Charters for new chapters within the jurisdiction of this department will be issued in accordance with the provisions of the National Constitution and Bylaws.

SECTION 2. Local chapters may adopt such provisions in their Constitution and Bylaws as its members deem advisable; provided, however, that no provision therein shall conflict with the National Constitution and Bylaws nor with those of this department. Each chapter will submit its Constitution and Bylaws or any amendments thereof firstly to Department Headquarters by way of the Department Judge Advocate and secondly to National Headquarters by way of the National Judge Advocate General for their review toward approval.

SECTION 3. The charter of any chapter or other subordinate unit of this department may be suspended or revoked under conditions specified throughout Article 6, Section 6.4 of the National Constitution and bylaws.

ARTICLE XII Finances

SECTION 1. The revenue of the department will be derived from distributions from the National Organization as derived from membership dues and fundraising programs, interest, grants from the Wisconsin Department of Veterans Affairs, chapter service fees, conventions and conferences and such other sources as defined in the annual budget of the department.

SECTION 2. To promote department activities and assist in the all media-related opportunities to promote the Department, each chapter will pay a service fee of \$1.50 per member, \$0.25 to be used for membership promotion, \$0.75 to be used for department administration, and \$0.50 to be set aside for utilization for media-related opportunities to promote the department, except for those members for which the department did not receive the annual Life Membership Fund per capita distribution from the National Organization. (It is mandatory that this service fee be paid to Department Headquarters by May 15th of each year and, the payment due to Department Headquarters from each chapter will be based on the membership report on the membership report as of April 30 of the applicable membership/accounting year.

SECTION 3. For defining fundraising activities, the information contained on the reverse side of the chapter charter will be the determining factor. Each chapter or other unit will advise the Department in advance of the inclusive dates to be covered in each such annual Forget-Me-Not Drive. Each annual Forget-Me-Not Drive will not exceed seven (7) days duration, without the consent of the DEC. Permission must be obtained from the National Executive Committee and the DEC before a chapter or other subordinate unit may engage in any other fund-raising campaign or business venture. No prior approval will be required for a fundraising project where it is expected that the gross receipts will be less than \$1,000.00, where no commissions are to be paid, and where solicitation of funds will be only by personal contact of friends of members. Violation of this restriction could subject such organization to revocation of its charter.

SECTION 4. All financial receipts of the department will be deposited in a bank selected by the Department Treasurer with the approval of the (DEC), and such depository will be informed by letter, over the signature of the Treasurer and Commander, that withdrawals will be only upon the basis of checks bearing those signatures.

SECTION 5. The voting of a salary to the Department Commander is prohibited by every departmental authority, nor will any expenses be allowed which have been determined by audit to seemingly take the place of a salary.

SECTION 6. All officers and committees will be prohibited from rendering bills of expense to the department after May 31st, except that such as may be specifically authorized by the Department Commander during that period.

SECTION 7. All chapters and other subordinate organizations and units of the DAV Department of Wisconsin are required to file an Annual Financial Report (AFR) with Department Headquarters by way of the Department Treasurer, and will do so in the time frame, which is consistent with that of Article 9, Section 9.3 of the National Constitution and Bylaws (ninety days after the close of the accounting year).

SECTION 8. All chapters and other subordinate organizations and units of the DAV Department of Wisconsin are required to submit their appropriate federal filing (i.e. 990-N) approval document to the Department Headquarters annually no later than November 15th.

ARTICLE XIII
Policy

SECTION 1. This organization will be non-political, nonpartisan and non-sectarian, and the name of this organization or any unit thereof will not be used in representing the desires or wishes of its membership in any political, partisan, sectarian, or labor dispute, except as hereinbefore provided. Nothing in this section will prohibit this organization or any unit thereof from participating in political issues, which have a direct bearing upon the welfare of America's disabled veterans.

SECTION 2. In accordance with Section 163.01, Wisconsin Statutes, this organization must conduct bingo games, provided that the net proceeds of this fundraising activity are used for the promotion of social welfare, and/or payment of a mortgage and not net income inured to the benefit of a private individual.

SECTION 3. This Corporation is not organized for profit. It will issue no stock. No part of its earnings will inure to the benefit of any individual. No member will have any pecuniary interest in any income, earnings, assets or property of the Corporation, nor will any part thereof be withdrawn or distributed to any of its members.

ARTICLE XIV
Department Official Representation

SECTION 1. The Department Commander, or in the event they are unable to attend, the Department Sr. Vice Commander, will be the delegate of the Department of Wisconsin, at the National Convention of this organization. In the event neither the Commander nor the Sr. Vice Commander is able to attend the National Convention, the (DEC) will, by mail recorded ballot, elect an official department delegate. The (DEC) will appropriate an amount sufficient to reimburse the official delegate to the National Convention for the necessary expense incurred by their attendance, as well as, for the necessary expense incurred by any and all other department officers attending the National Convention as should be authorized by majority approval of the DEC.

SECTION 2. In accordance with Wisconsin State Statutes 15.497 (2); 13.172 (2); 15.09; and 45.03 (3), the Department Commander will annually appoint a department representative to the Wisconsin Department of Veterans Affairs (WDVA) Committee on Veterans Programs (COVP) to a one year term, expiring on July 1st of the succeeding year, subject to the majority approval of the DEC. In the event of the appointed department COVP representative's death, resignation or inability to discharge the proper duties of the position, the Department Commander will appoint a replacement to fill the unexpired term, subject to approval by majority vote of the DEC.

SECTION 3. Representatives of the department who attend meetings of advisory boards to a state or federal governmental body, and who is in receipt fees and/or expense reimbursement from the state or federal government for such attendance will be appropriated only per diem allowance from the department, when overnight accommodations are required and are not reimbursed for such expenses by the state or federal governmental bodies.

SECTION 4. The Department Finance Committee will annually recommend to the (DEC), the amount to be reimbursed for expenses incurred as a result of duties performed at the request of the Department Commander. Consideration will be given to the available resources of the Department at the beginning of each accounting year.

ARTICLE XV

Uniform Regulations

SECTION 1. During their term of office, all elected and appointed officers, of the Department of Wisconsin will be entitled to wear a white cap with the name of the office inscribed thereon. The Department Headquarters will furnish these caps.

SECTION 2. PDCs in good standing within the jurisdiction of this department shall wear a blue and gold cap as prescribed by the National Constitution and Bylaws, the initial cap being provided for at department expense and presented on the event of the change of command ceremony at the close of the outgoing Department Commander's term of office and the start of the newly elected Department Commander's term of office at the Department Convention.

ARTICLE XVI Amendments

SECTION 1. This Constitution and Bylaws may be amended at any Department Convention by a vote of a two-thirds majority of the registered delegates assembled at Convention, at the time of voting, provided that a quorum is present, and provided, that the proposed amendments have been submitted to Department Headquarters by way of the Department Adjutant prior to May 10th preceding department convention, who will in turn submit copies of any and all submitted resolutions to each member of the standing committee on Constitution and Bylaws by May 15th preceding department convention, and provided that said resolutions shall have been read on the floor of the convention before the assembled convention body at least six hours before the final vote on each amendment is called thereof.

SECTION 2. To the extent to which any of the provisions of this Constitution and Bylaws are, or must at any time become, inconsistent or in conflict with the provisions of the Constitution and Bylaws and lawful mandates, decisions, rules and regulations of the National Constitution & Bylaws, NEC Regulations & Boards of Directors Information of the National Organization, as now in force or as hereafter amended or adopted, this instrument will be deemed amended as to conform thereto.

ARTICLE XVII Subordinate Units and Affiliated Entities

SECTION 1. This department recognizes the need for assistance in being able to effectively carry out the objectives of the National Organization of the Disabled American Veterans and encourages the establishment of units of the Disabled American Veterans Auxiliary (DAVA) Department of Wisconsin. The membership of such units will consist of members as listed as eligible in the most recent DAVA National Constitution and Bylaws, such eligibility extended to Gold Star relatives of former United States military veterans who were killed or have since died as either a direct or indirect result of exacerbation of their disabling conditions(s), to the spouses, children, grandchildren, and great grandchildren of members of the DAVA and, further, to any woman or man who is eligible for membership in the DAV.

SECTION 2. This department shall also recognize all other subordinate units and affiliated entities established through the authority of the Department Constitution and Bylaws as well as the National Constitution and Bylaws.

SECTION 3. All officially recognized subordinate units and affiliated entities shall make a report at the annual DAV Department Convention, including providing the AFR for the end of the current

accounting year, and will be subject to department mandates as well as both the Department and National Constitutions and Bylaws.

SECTION 4. The DAV Department of Wisconsin Foundation is authorized to solicit donations from private foundations, corporations, limited liability corporations (LLCs), as well as some members of the general public that are receptive to providing donations and grants to 501 c(3) charitable organizations. This authorization is subject to such restrictions as may be provided for in the DAV National Constitution and Bylaws as well as provisions set forth in.

SECTION 5. No groups of members of this department other than those officially recognized in this Constitution and Bylaws or authorized by express permission by means of majority of the DEC shall be allowed to collect dues or conduct fundraising campaigns. Violation of this section will be sufficient cause for recommendation to the National Organization for expulsion from the Disabled American Veterans or its subordinate units and affiliated entities in accordance with the prevailing Constitution and Bylaws.

ARTICLE XVIII Parliamentary Rules

SECTION 1. In the absence of any specific rule of procedure, Robert's Rules of Order (Latest Revision) will be used as a guide by the (DEC), by the chairman of a convention or conference, by Department Parliamentarian, by the department convention, conference or other official business meeting and by any subordinate units and affiliated entities within the jurisdiction of the department.

Article XIX Department Publication

Section 1. The Department of Wisconsin shall have published, an official publication. The publication shall be under the control of the department and the responsibility shall be with the Media Committee. This committee shall be in charge of the content of the publication. The publication shall be added to the list of Department of WI Programs contributions from the Chapters of the Department. All funds shall be deposited through the Department Treasurer in the general account and the Department Adjutant shall be fully advised as to all activities of the committee. The Members of the Committee shall not be paid.

ARTICLE XX Department Meetings, Conventions, and other functions

SECTION 1. All meetings, conventions and other functions that take place within the jurisdiction of the DAV Department of Wisconsin and involve more than one chapter and/or unit, will be held at a location that is accessible to all members of the department and auxiliary and/or other subordinate units or affiliated entities, if applicable. Access will include ADA compliant entrances/exits and bathrooms.

ARTICLE XXI Bar or Lounge Operations and Ancillary Income

SECTION 1. The Department has the authority to approve the revenue of all its Chapters in accordance with Article 15, Section 15.3, Para. 1 of the National Bylaws.

SECTION 2. Since the need to assist disabled veterans and their families is greater than ever, Bar or Lounge Operations of our Chapters have the capacity and potential to earn funds for their betterment.

SECTION 3. Additionally, Ancillary Income of our Chapters, i.e. video games, property rentals, miniature golf courses, driving ranges, bingos, raffles, etc. also have the capacity and potential to earn funds for their betterment.

SECTION 4. Income derived from Chapter Bar or Lounge Operations and/or Ancillary Income, approved by the Department, will be used to support DAV programs that provide a direct and substantial benefit to disabled veterans, their dependents and survivors in accordance with National Executive Committee or NEC Regulation 4.

SECTION 5. Since the betterment of disabled veterans and their families is paramount to our mission, the net income of all Chapter Bar or Lounge Operations and Ancillary Income will be divided as follows:

- (a) A third of the net income will go towards DAV Department of Wisconsin projects and programs, i.e. New Van Fund, Hospital Fund, Transportation Fund, DAV Day at King Day Home, DAV Day at Chippewa Falls Home, DAV Day at Union Grove Home, etc
- (b) A second third of the net income will stay in the chapter to support DAV programs that provide direct and substantial benefits to disabled veterans, their dependents and survivors, i.e. veteran programs at VA Medical Center in Milwaukee, Madison, Tomah, Minneapolis, and Iron Mountain; and veteran programs at the State of Wisconsin Veterans Homes at King, Chippewa Falls and Union Grove
- (c) The last third of the net income shall be used for operating expenses.

SECTION 6. The division of net income derived from Bar or Lounge Operations and Ancillary Income as directed in Section 5 of this article, will begin on July 1, 2001.

SECTION 7. Chapter Bar or Lounge Operations must not operate at a loss; be subsidized by the Chapter with assessments of members or by income derived for the purpose of rendering service to disabled veterans and their dependents. This is in accordance with NEC Regulation 4 entitled Bar, Lounge or Bingo Operations.

SECTION 8. After July 1, 2011, all Chapter Bar or Lounge Operations and Ancillary Income will be considered a fundraising campaign and will need DEC majority vote approval annually for each subsequent accounting year: July 1-June 30, in accordance with Article XII of the Department Constitution and Bylaws.

- (a) Department approval will be based on the AFR filed by the chapter having a Bar Lounge Operation with the department within (90) days following the close of accounting year, on June 30th, as directed in Article 9, Section 9.3, Para.1 of the National Constitution and Bylaws.
- (b) A chapter having a Bar or Lounge Operation and/or Ancillary Income and the exhibition of failure to divide the net income, as directed in Section 5 of this Article, will result in the review of said chapter's operations and/or audit of the chapter's financial statements and records as directed by the Department Commander and/or Executive Committee and, subject to the discretion of the Department Commander

and/or the Department Executive Committee, disciplinary action of members alleged to be complicit in misconduct and toward potential Article 16 action taken by the Department Commander, Department Executive Committee and/or National Commander and may be cause for the revocation of said chapter's charter by the National Commander in accordance of Article 6, Section 6.4 of the National Constitution and Bylaws.

- (c) Chapter Bar or Lounge Operations are subject to annual audit and inspection as directed by the Department Commander and or majority vote of the Department Executive Committee.

ARTICLE XXII

Gender

While great lengths have been taken to provide for the gender neutrality of this document, the masculine, whenever used shall include the feminine gender.

This Constitution and Bylaws adopted by the Department of Wisconsin, Incorporated, Disabled American Veterans in convention assembled in LaCrosse, Wisconsin, June 20 to 23, 1946, and as amended in convention assembled each year thereafter up to and including 2018.

Respectfully submitted,
Larry Hill
Department Adjutant
June 7-9, 2018

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