

BLIND VETERANS NATIONAL CHAPTER #1

Disabled American Veterans

CONSTITUTION

AND

BYLAWS

AMENDED: Monday 8/24/09

**CONSTITUTION
BLIND VETERANS NATIONAL CHAPTER #1
DISABLED AMERICAN VETERANS**

PREAMBLE

For God and Nation and for our commonwealth, we former members of the armed forces of the United States, having aided and maintained the honor, integrity and supremacy of our Country, holding in remembrances 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 Blind Veterans National Chapter #1, Disabled American Veterans, the principles and purposes of which shall be supreme allegiance to the United States of America, fidelity to its Constitution and Laws; to hold aloft the torch of true patriotism; to strive for a better understanding between nations that peace and good will may prevail; to cherish and preserve the memories of our military association and to aid and assist worthy wartime totally blind or partially sighted veterans, their widows, their orphans and their dependents.

**ARTICLE I
NAME**

The name of this organization shall be BLIND VETERANS NATIONAL CHAPTER #1, DISABLED AMERICAN VETERANS.

**ARTICLE II
AUTHORITY & ALLEGIANCE**

Section 1. Under the authority of Article IV of the National Constitution of the Disabled American Veterans there is established the Blind Veterans National Chapter #1.

Section 2. The Blind Veterans National Chapter #1, Disabled American Veterans, hereinafter in this Constitution and these Bylaws referred to as "The Chapter", agrees to abide by the provisions of the Constitution and Bylaws of the Parent Organization, The Disabled American Veterans, as may be in force or as may hereafter be amended.

Section 3. This Chapter 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 Chapter, the assets remaining after the payment of its debts shall be distributed as provided in Article 6, Section 6.4, Paragraphs 5 and 6, of the National Bylaws.

ARTICLE III PURPOSE

The purpose of this organization shall be as set forth in the Preamble of the Chapter and in Article II of the Constitution of the Parent Organization – The Disabled American Veterans.

ARTICLE IV MEMBERSHIP

Section 1. Any man or woman who is eligible for membership under Article III of the National Constitution of the Parent Organization and who is legally blind as prescribed by the U.S. Federal Government shall be eligible for membership.

NOTE: LEGAL BLINDNESS IS DEFINED AS "CENTRAL VISUAL ACUITY OF 20/200, OR LESS, IN THE BETTER EYE WITH USE OF CORRECTIVE LENSES OR VISUAL FIELD REDUCTION TO 20 DEGREES OR LESS."

Section 2. Blind Veterans National Chapter shall not have Honorary Members.

ARTICLE V OFFICERS

Section 1. The officers of the Chapter shall be a Commander, Senior Vice Commander, four Junior Vice Commanders, a Judge Advocate and a Chaplain.

Section 2. The Adjutant-Treasurer shall be elected for a 4 year term and shall be relieved for just cause by the Executive Committee.

ARTICLE VI DUTIES

Section 1. The Commander shall be the Presiding Officer of the annual reunion, at meetings of the Chapter's Executive Committee, and of such Committees as may be authorized by the reunion or Executive Committee.

Section 2. In case of the death, resignation or inability to discharge his duties or impeachment of the Commander the duties of the Commander shall devolve upon the Senior Vice Commander.

Section 3. In the event that the Senior Vice Commander replacing a Commander is also unable to perform the duties of the Office the next officer in line will be elevated to the position.

Section 4. The Adjutant-Treasurer shall be the Secretary of the Chapter and shall attend the annual reunion and the Executive Committee meetings.

Section 5. The Judge Advocate shall be the legal advisor of the Chapter and on request of the Commander or the Executive Committee or the annual reunion shall render his opinion on any and all questions.

Section 6. On receiving the opinion of the Judge Advocate on any question the Commander shall render a decision which shall be subject to appeal to the Executive Committee and to the annual reunion provided notice of intent to appeal is furnished in writing to Chapter headquarters within thirty (30) days after the decision of the Commander has been publicized. In all cases of appeal the decision of the annual reunion will be final.

Section 7. The Chaplain shall perform such duties as are usual in all matters connected with the office, as prescribed in the official ritual of the Parent Organization.

Section 8. The Commander shall direct and supervise all legislative, rehabilitative, employment, and any ad such other activities of the Blind Veterans National Chapter as may be ordered by the Executive Committee or the annual reunion.

Section 9. Chairmen of Committees required for efficient operation of the Chapter shall act under the direction of the Commander, the Executive Committee or the annual reunion.

ARTICLE VII

LEGISLATIVE, ADMINISTRATIVE AND EXECUTIVE DUTIES

Section 1. The supreme power of the Chapter shall be vested in the annual reunion.

Section 2. The Administrative powers of the Chapter shall be vested in the Executive Committee except as may be otherwise specified in the Bylaws of the Chapter.

Section 3. The Executive power of the Chapter shall be vested in the Commander to the extent authorized by the Bylaws and the Administrative power shall be vested in the Commander between meetings of the Chapter Executive Committee.

Section 4. The Executive Committee shall be composed of all the elected offices of the Chapter and the Junior Past Commander.

ARTICLE VIII AUXILIARIES

The Blind Veterans National Chapter does not recognize a Women's Auxiliary.

ARTICLE IX AMENDMENTS

This Constitution may be amended at any annual reunion by a vote of two-thirds (2/3) of the members present and voting, provided, that the proposed amendment shall have been read at least once prior to the reading upon which a ballot on the amendment is to be taken. No amendment shall become effective until the approval of the National Judge Advocate of the Parent Organization has been received.

END OF CONSTITUTION

BYLAWS

BLIND VETERANS NATIONAL CHAPTER #1 DISABLED AMERICAN VETERANS

ARTICLE I

ORGANIZATION

Section 1. The governing bodies of the Blind Veterans National Chapter #1 shall be the annual reunion and the Chapter Executive Committee.

Section 2. Each such body shall keep records of its proceedings and shall be open for inspection to any recognized Officer of the organization.

Section 3. The Blind Veterans National Chapter may adopt its own Constitution and Bylaws and regulations and levy its own membership fees, provided that any such action does not conflict with the Constitution and Bylaws or regulations of the Parent Organization and are approved by the National Judge Advocate of the Parent Organization.

Section 4. The Chapter Adjutant-Treasurer shall keep a complete financial record of all financial transactions. The Adjutant-Treasurer shall arrange for an annual audit by a recognized Public Accountant and shall submit a copy of the Auditor's report to the annual reunion and to the Parent Organization.

Section 5. Any ruling of the presiding officer shall be final and binding upon the Chapter unless overruled by the Chapter on an appeal from the ruling of the Chair or reversed upon an appeal taken to the next higher governing body.

ARTICLE II

MEMBERSHIP, DUES AND FEES

Section 1. There shall be no class of membership or form of membership except as specified in Article IV of the Chapter Constitution.

Section 2. No person shall be denied Blind Veterans National Chapter #1 membership if they meet the eligibility requirements as set forth in the Parent Organization Constitution and Bylaws and is considered legally blind as set forth in the Blind Veterans National Chapter #1 Constitution, Article IV Membership.

Section 3. Membership dues shall be set by the Parent Organization, and shall be for the membership year or any part thereof: The membership year

starts July 1st, and ends June 30th. All membership dues will be applied directly to the individual's life membership account. Once the appropriate full life membership amount has been attained in the member's account, they will no longer be required to pay membership dues.

Section 4. Member of one chapter may secure a DAV "Official Transfer Form" for transfer of membership to another chapter, with the approval of the receiving chapter. The local chapter shall notify the Parent Organization of its approval and the Parent Organization shall notify both chapters and the State Department that the transfer has been processed. No transfer takes effect as to dues credit or voting strength until the beginning of the membership year following the completion of the transfer. All rights of membership in a chapter shall become effective upon approval of the transfer by the receiving chapter.

Section 5. Each member agrees that they shall not be entitled to any refund on dues or other payments upon resignation, transfer or expulsion, or other termination of membership.

Section 6. No member shall be expelled or limited in any of the privileges of membership except through procedure specified in Article XII of the Bylaws of the Parent Organization.

ARTICLE III NATIONAL DISTRICTS

The territory in which the Blind Veterans National Chapter #1 shall operate shall be identical with the Districts of the Parent Organization as indicated in Article V of the Bylaws of said Parent Organization.

ARTICLE IV CHAPTER EXECUTIVE COMMITTEE

Section 1. The Blind Veterans National Chapter #1 Executive Committee shall consist of all the elected Officers and the immediate Past Commander. The Adjutant-Treasurer will act as recording secretary.

Section 2. The Executive Committee may hold at least one meeting between annual reunions in any City of their choice, or via teleconference are to have a minimum of a 10 day notice, and at least two-thirds (2/3) of the members present and voting shall comprise a quorum of the Executive Committee.

Section 3. The regular business of the organization requiring the consideration of the Executive Committee between annual reunions shall be transacted by mail through the office of the Adjutant.

ARTICLE V TENURE OF OFFICE

Section 1. The elective officers and Executive Committeemen shall be installed immediately following the adjournment of the annual reunion at which they are elected to office and shall hold office until the adjournment of the following annual reunion or until such time as their successors have been installed. The Commander shall be limited to two consecutive terms in office.

Section 2. The tenure in office of appointive officers shall be at the pleasure of the appointing power but in no case shall the tenure of the appointee exceed that of the appointing officer.

Section 3. Nothing in these Bylaws shall be construed as prohibiting re-election of members to elective positions or reappointment to appointive positions, except as specified in Section 1.

Section 4. Any member of the Blind Veterans National Chapter who is in good standing in the Chapter shall be eligible to hold any elective or appointive office in the Chapter.

ARTICLE VI FINANCES

Section 1. The revenues of the Blind Veterans National Chapter #1 shall be derived from dues paid by members, contributions and other sources as may be approved by members attending the annual reunion, and/or the Chapter Finance Committee and the National Adjutant.

Section 2. All revenue and expenditures of the Blind Veterans National Chapter #1 shall be under the direct supervision of the Chapter Finance Committee which Committee shall be composed of the Commander and four members; no two such members shall reside in the same National District or State. The Finance Committee is empowered to appoint its own Chairman.

Section 3. The Blind Veterans National Chapter shall operate under a budget which shall be determined upon by the Chapter Finance Committee as soon after the close of the annual reunion as possible.

Section 4. The Finance Committee shall designate a depository or depositories for all revenue of this organization but such depository or depositories shall be located in the same city in which the Adjutant resides.

Section 5. All funds received in the name of the Blind Veterans National Chapter by any officer or committee thereof shall be deposited forthwith in the depository or depositories named by the Finance Committee and such funds shall remain the property of the Chapter until they are properly expended or remitted in accordance with the rules or regulations of the Chapter Finance Committee; provided, however, that in the case of extraordinary fund raising enterprise the committee in charge of such enterprise may, with the prior approval of the Finance Committee, receive and expend from these receipts such amounts as may be required in the transaction of the particular business in which the Committee is engaged. All such Committees shall make a complete accounting of receipts and expenditures to the Finance Committee for approval.

Section 6. No funds of the Blind Veterans National Chapter shall be used for loans or advances of any type or character to any promoter.

Section 7. All disbursements from Chapter funds shall be made by check signed by the Chapter Commander and the Chapter Adjutant.

ARTICLE VII ALLOWANCES

Section 1. There shall be no salary paid to any officer of the Blind Veterans National Chapter #1.

Section 2. The sum of \$1,250.00 shall be given to the Commander and \$1,750.00 to the Adjutant/Treasurer for expenses at the Annual Reunion, providing there is \$2,750.00 in the bank accounts. Otherwise, the above two will receive a like pro-rated share ensuring a balance of \$600.00 in the treasury.

Section 3. The Blind Veterans National Chapter #1 shall pay the registration fee, for the Commander, Adjutant-Treasurer, Delegates and Alternates, to the National Convention.

Section 4. The Chapter will pay \$750.00 to all delegates and alternates who attend the National Convention.

Section 5. In no event will expenses be paid anybody under above named sections, providing he receives money from any other source to attend the National Convention.

ARTICLE VIII ANNUAL REUNION

Section 1. The annual reunion shall be held during the National Convention of the Parent Organization and in the same city where such National Convention is held.

Section 2. The annual reunion shall be composed of the elected officers, the Past Commander, the Executive Committeeman and all other members of the Chapter attending the convention of the Parent Organization.

Section 3. Delegates and Alternates shall be elected by a mail ballot prior to the National Convention.

Section 4. The Annual Reunion shall elect from the members attending their new officers as in Article V, of the Constitution, of the Blind Veterans National Chapter. There shall be no proxy voting.

ARTICLE IX UNIFORM, CAPS

Section 1. The uniform cap of the Blind Veterans National Chapter shall be navy blue. It shall be properly embroidered with the DAV insignia and Chapter on the left side and designation of office or past office on the right side with the letters D.A.V. on the front.

Section 2. The uniform when worn shall be that as prescribed in the National Constitution and Bylaws and shall be optional as to procurement and wear.

ARTICLE X POLICY

Section 1. The Blind Veterans National Chapter #1, shall be nonpolitical and non-sectarian and no officer or member shall take part in any official capacity in any partisan, political or sectarian question or in any industrial dispute.

Section 2. Nothing in Section 1 of this Article shall be construed as preventing the Chapter or its members individually from participating in any

political issue or issues which have a direct bearing on the welfare of America's Disabled Veterans.

Section 3. The Blind Veterans National Chapter shall not participate in any drive, benefit or concert or any activity which tends to commercialize the disability of the Blind Veterans.

Section 4. The Commander and Adjutant-Treasurer will be reimbursed \$750.00 each for expenses in connection with attending the Mid-Winter Conference of the State Commanders and Adjutants Association.

ARTICLE XI AMENDMENTS


Section 1. These Bylaws may be amended at any Annual Reunion by a vote of two-thirds (2/3) of the members present, provided that the proposed amendment shall have been read at least once before being voted upon.

Section 2. No amendment to these Bylaws shall become effective until the approval of the National Judge Advocate of the Parent Organization is received.


ARTICLE XII MISCELLANEOUS

All matters not otherwise provided for in these Bylaws shall be governed by Robert's Rules of Order (revised).

APPROVED: August 24, 2009
Denver, CO
DAV National Convention



Dennis O'Connell
Commander



Paul W. Kaminsky
Adjutant-Treasurer

I CERTIFY that the within Constitution and Bylaws do not conflict with those of the National Organization, and to that extent, is approved.

APPROVED: _____
NATIONAL JUDGE ADVOCATE



DISABLED AMERICAN VETERANS

Building Better Lives for America's Disabled Veterans

March 7, 2011

Mr. Paul W. Kamisky, Adjutant
Blind Veterans National Chapter #1
Disabled American Veterans
4295 Powderhorn Court
Middleburg, FL 32068

Dear Mr. Kamisky:

The Constitution and Bylaws for Blind Veterans National Chapter #1 is hereby approved as of this date.

A copy of this document is being returned to the Chapter and a copy is being retained in our permanent files here at National Headquarters for future reference.

Sincerely,

A handwritten signature in blue ink that reads "Michael E. Dobmeier".

MICHAEL E. DOBMEIER
National Judge Advocate

MED:as
Enclosure



NATIONAL HEADQUARTERS ★ P.O. Box 14301 ★ CINCINNATI, OHIO 45250-0301
PHONE (859) 441-7300 ★ FAX (859) 441-1416 ★ TOLL FREE (877) 426-2838
www.dav.org