Department of Oklahoma

Constitution

and

Bylaws

As Amended by the Convention Delegates
On June 24, 2015

ARTICLE 1 - AUTHORITY

Under the authority of the National Constitution and Bylaws of the Disabled American Veterans (DAV), Incorporated and under the authority of the Federal Charter, there is hereby established the "Disabled American Veterans, Department of Oklahoma."

ARTICLE 2 - PURPOSE

To uphold and maintain the Constitution and the laws of the United States and the State of Oklahoma, to realize the true American ideals and aims for which those eligible for membership fought; to advance the interest and work for the betterment of all wounded, gassed, injured and disabled veterans; to cooperate with the United States Department of Veteran Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health and interest of all disabled veterans; to stimulate a feeling of mutual devotion, helpfulness and comradeship among all disabled veterans; to serve our comrades, our communities and our country; and to encourage in all people the spirit of understanding, which will guard against future wars.

ARTICLE 3 - MEMBERSHIP

Section 1. The DAV, Department of Oklahoma, will consist of all Chapters of such Department that have been constituted, according to the Constitution of the DAV

Section 2. Qualifications for membership will be in accordance with the National Constitution and Bylaws of the DAV.

ARTICLE 4 - POWERS

To have perpetual succession, with power to sue and be sued in courts of law and equity; to receive, hold, own, use and dispose of such real estate and personal property as will be necessary for its corporate purpose; to adopt a corporate seal and alter the same at pleasure; to adopt a Constitution, Bylaws and Regulations to carry on its purposes, consistent with the laws of the United States and the State of Oklahoma; to use in carrying out the purposes of the Corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish local chapters; to publish a newspaper or other publication devoted to the purposes of the Corporation and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the Corporation.

ARTICLE 5 - ADMINISTRATIVE

Section 1. The administrative affairs of this organization will be vested in the State Executive Committee (SEC), to be composed of the Department Commander; Immediate Past Department Commander (IPDC); Department Senior and Junior Vice-Commanders; and one State Executive Committee Member from each of the several Chapters; as they are now or may from now on be composed and included in this organization.

Section 2. Each Department Convention will elect a Department Commander, Department Senior Vice-Commander, Department First Junior-Vice Commander, Department Second Junior Vice-Commander, Department Inspector, Department Finance Officer, Department Judge

Advocate, Department Chaplain, and required Committee Members for the Department Finance Committee and Board of Directors

Section 3. The Department Commander will serve one (1) term with the option of being nominated and elected for a second consecutive term. Upon completion of a second consecutive term the Department Commander will not be allowed to serve in this capacity for at least one term.

Section 4. The Department Commander or in his/her absence the next highest officer will preside at all regular or special meetings of the Department. He will maintain order and dispatch such business as may legally come before him. He will perform all other duties including those set forth in this Constitution and in the official DAV Ritual and all other duties as may be lawfully delegated to him by the SEC.

Section 5. All checks or vouchers issued by the Department must be countersigned by two of the following: Commander, Senior Vice Commander or Finance Officer. No blank checks shall be signed in advance.

Section 6. Elected Department Officers in succession will perform the duties of the Department Commander in case of his absence, death, resignation or removal. If none of the line officers can serve in succession, the Department Adjutant will convene the Department Convention on proper notice, within forty-five (45) business days, for the specific purpose of electing a Department Commander and all Vice-Commanders.

ARTICLE 6 - LEGISLATION

The supreme legislative powers of the Department will be vested in the Department Convention that will be composed of the elected Department Officers and all Chapter Delegates.

ARTICLE 7 - EXECUTIVE

The executive power of the Department will be vested in the Department Commander.

ARTICLE 8 - AUXILIARIES

The Department recognizes a DAV Auxiliary, DAV Auxiliary Juniors, National Order of Trench Rats and the Oklahoma Commanders and Adjutants Association as auxiliary units of the Oklahoma DAV, subject to its supervision and recommendations.

ARTICLE 9 - AMENDMENTS

Section 1. The Constitution may be amended at any Department Convention by a majority vote of the regularly elected and qualified delegates thereat, if three-fourths (3/4) of the Chapters then in existence and in good standing have ratified the proposed amendments, which ratification must take place within 60 days of Department Convention.

Section 2. The Constitution and Bylaws and all changes and amendments thereto must not be in conflict with the National Constitution and Bylaws, and must have the approval of the National Judge Advocate.

ARTICLE 10 - GENDER

The masculine, whenever used in the State Department Constitution and Bylaws, will include the feminine gender.

ARTICLE 11 – BOARD OF DIRECTORS

1.) The Board of Directors (Board) shall provide recommendations to the Commander and Line Officers upon request. The Board shall have responsibility for approval of the annual budget if not approved in the allotted time at the annual Convention. The Board is comparable to a corporate board of directors a corporate board of directors as they appear in National Organization and the State of Oklahoma Articles of Incorporation.

2.) The Board shall be composed of nine voting members, to include the Department Senior Vice Commander, Department First Vice Commander, Department Second Vice Commander, Department Adjutant (Chief Operations Officer), and the Immediate PDC The remaining four members shall be elected by the SEC from among members in good standing. In even numbered years, two (2) members will be elected from the even numbered Chapters. In odd numbered years, two (2) members will be elected from the odd numbered Chapters. They will be elected at the State Convention in the same manner as State Officers and shall serve for two (2) years. Their terms of office shall run concurrently with the fiscal year, July 1 through June 30, of the Department. No two (2) members will be elected from the same Chapter.

a) Annually, immediately following the SEC, and by majority vote, the Board shall select a Chairman, a Vice Chairman and a Secretary, who shall each serve one year terms, or until their successors are selected.

b) The Department Commander and Judge Advocate shall serve as advisors to the Board with the privilege of attending all meetings and sessions of the Board with voice but no vote. No member of the Board shall simultaneously hold more than one elected Board position.

c) The Department Commander or Chairman of the Board may call the Board to meet at any time. If three or more Board members make a written request for a Board Meeting to the Chairman, the Chairman will schedule a meeting as soon as possible.

d) The Department Adjutant shall recuse himself from any vote affecting his salary.

3.) The Board will, within fifteen (15) business days, review any changes to the Department Employee Policy Letter if amended by the Department Commander and Department Adjutant.

a) If the Board approves the submitted Policy Letter, the Department Adjutant will, within fifteen (15) business days of said approval, assure that all employees are provided a copy of the approved Employee Policy Letter.

b) If the Board disapproves portions of the submitted Employee Policy Letter, the Board, Department Commander and Department Adjutant will, within fifteen (15) business days, reconcile any differences and approve the Employee Policy Letter.

4.) The Board will review Department leases and Department fund-raising contracts and submit recommendations to the National Executive Committee (NEC). The Board will review Chapter fund-raising contracts and submit recommendations to the NEC.

5.) When there is a DAV vacancy or expired term on the Oklahoma Veterans Commission, the Board will request one (1) name from each chapter to be placed on a list of nominees for possible appointment to the Oklahoma Veterans Commission. The Board will review the list of names submitted by each Chapter and designate five (5) of the qualified names to be placed on the list to be submitted to the Governor for possible appointment to the Oklahoma Veterans Commission.

DEPARTMENT OF OKLAHOMA BYLAWS

ARTICLE I - ORGANIZATION

The governing bodies of the Organization will be the Department Convention, the State Executive Committee and the Chapters.

ARTICLE II - ALLEGIANCE

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 the dissolution of the Department, the assets remaining after the payment of its debts will be distributed as provided in the National Bylaws. The Charter of this Department, issued by the National Organization, is its authority to function and will be displayed at all regular meetings.

ARTICLE III - DEPARTMENT OF OKLAHOMA CONVENTION

Section 1. A Department Convention shall be held annually, before the National Convention, unless prohibited by a Department emergency.

a.) The SEC will approve the area location of the Department Convention and SEC meetings at least three (3) years in advance, upon recommendations made to it by the Department Adjutant.

b.) Invitations from delegations or cities must be submitted in advance to the Department Adjutant so he can examine the facilities and obtain the best offer for submission to the SEC.

Section 2. In addition to the other duties or powers set forth in the DAV Constitution and Bylaws, the Department Commander will be the presiding officer of the Department Convention and of the SEC, and all other committees as may be authorized by the Convention or the SEC

Section 3. The Department of Oklahoma, DAV, will be responsible for its annual convention. The Department may ask the Chapters around the convention site to help with certain convention responsibilities.

Section 4. Each Chapter will be entitled to one (1) delegate and one (1) alternate for its charter and, in addition thereto, one (1) delegate and one (1) alternate for each ten (10) members in good standing provided, however, that recognition will not be extended to any delegate of any Chapter that is indebted to the Department of Oklahoma until they pay such indebtedness in full. Each Chapter will elect a chairperson of their convention delegation present to cast the vote of the delegation. All Chapter votes will be by numerical strength as determined by National as of its latest report.

Section 5. Each elected Department Officer and Past Department Commander (PDC) will be entitled to one (1) vote each. Votes of all Chapter Delegates will be polled before polling the PDC's and the elected Department Officers. Chapters that abstain from voting will not be re-

polled. Chapters that pass on the initial poll (vote) must cast their ballots before taking the votes of the PDC's and the elected Department Officers.

a) When polled by the Adjutant, the PDC's and elected officers will declare whether they will vote individually or with their Chapter.

Section 6. A quorum is thirty-five percent (35%) of the voting Chapters and voting officers combined who answer roll call on the first day of the meeting, irrespective of whether some may have departed.

Section 7. There will be no form of unit rule, voting by proxy, or absentee ballot. The order of precedence for parliamentary rule shall be: DAV National Constitution and Bylaws, Department Constitution and Bylaws, then the current edition of Robert's Rules of Order.

a.) Rule 1. For the purpose of recognition, a member of the convention must stand, if possible, go to the microphone, address the chair as Mr. Chairman, state their name, chapter, or title and will proceed to speak only after recognition by the Chair.

b.) Rule 2. Debate will be limited to five (5) minutes for each speaker, except by a two-thirds (2/3) majority consent.

c.) Rule 3. Recognition shall be granted only once to any one speaker on any one subject, except that a rebuttal of not more than 3 minutes may be permitted. Additional recognition may be granted by a two-thirds (2/3) vote of the body.

d.) Rule 4. No person who has talked for or against any motion, resolution, or report on the convention floor will be permitted to make a motion to table the same. A motion to table is not debatable and will require a two-thirds (2/3) affirmative vote. A tabled motion may be taken from the table for reconsideration by majority vote.

e.) Rule 5. Voting will be via voice, except during the election of Department Officers, and unless a roll call is demanded by the Chairman or Acting Chairman of the Convention or by at least ten percent (10%) of the delegates present, provided, however, that the election of Department Officers may be made by via voice when there is no contest. In the event more than two (2) candidates are nominated for the same office and no candidate receives more than (50) percent of the votes in the first balloting, the two (2) candidates receiving the most votes will compete in a run off election.

f.) Rule 6. The Convention will have full power to provide for credentials and other matters incident to the convening of the Convention and the Rules and Regulations thereof not otherwise specifically covered by Convention Policy, with the understanding that all rules must conform to the National Organization procedure.

g.) Rule 7. Not later than noon on the second day of the Convention, the Department Commander will appoint a Credentials Committee that will consist of the Department Senior Vice-Commander, Department Adjutant and three (3) other members. It will be the duty of this committee to check the credentials of those registered, and no Chapter Delegate will be allowed to vote unless all debts owed to the Department have been paid and certified by this committee.

h.) Rule 8. Mandates and Resolutions adopted at each Department Convention will be effective only until the next Convention unless re-adopted at such Convention.

i.) Rule 9. The Department Charter will be displayed.

Section 8. A recording will be made of all Convention/SEC proceedings. These recordings are to be kept on file for five (5) years after the Convention/SEC. These recordings will be available to any member, by appointment, in the Department Adjutant's office. Recordings from the proceedings will be transcribed and the minutes thereof will be submitted at the next meeting for approval. The approved minutes will be the only official minutes of these proceedings. Minutes of the Department Convention and SEC meetings will be posted electronically and or sent to the chapters no later than 45 business days after the Convention/SEC.

Section 9. The travel reimbursement rate for the new fiscal year will be established by vote at each convention.

ARTICLE IV - DUTIES AND RESPONSIBILITIES OF ELECTED OFFICERS

Section 1. The Department Commander, in addition to the duties or powers set forth in the Department Constitution and Bylaws will be the presiding officer of the Department Convention and SEC.

a.) As required by the Oklahoma Statutes, the Department Commander will on or before January 1 of each year submit to the designated office of the State of Oklahoma a copy of the annual audit of the organization for the immediate preceding fiscal year showing the total paid membership of the organization and reviewed by a Certified Public Accountant.

b.) Unless approved by the Convention Body neither the Department Commander nor any Vice-Commander will hold any other elective office within the Department of Oklahoma or be a bona fide employee of the Department of Oklahoma.

c.) The Department Commander will not authorize any disbursements or implement any financial policies without the approval of the Finance Committee.

d.) A PDC, as designated by the incoming Department Commander, will conduct a one (1) day seminar to advise newly elected officers on their duties and responsibilities

Section 2. The Commander will appoint the Chairmen of the Legislative Committee, Membership Committee, and Emergency Grant/Homeless Veteran Committee from the Senior and Junior Vice Commanders.

Section 3. The Department Finance Officer will attend all Finance Committee meetings with voice and vote.

a.) The Department Finance Officer will review all deposits of money in the name of the Department. He will make authorized disbursements, keep and maintain records with the assistance of the CPA firm retained by the Department and present all statements, vouchers and other transactions, to include an inventory of all property owned by the Department, to a Certified Public Accountant as required by the National Bylaws and comply with the Oklahoma Statutes, when preparing the Annual Finance Report. He will provide a report to the Finance Committee and at each Department Convention and SEC meeting.

b.) The Department Finance Officer will not disburse funds except as provided for in the approved budget without first being approved by the SEC. The Finance Committee has authority to line item transfers within a specific Item Line Category, in those incidents where a particular sub-category is expected to exceed its limit.

c.) The Department Finance Officer and the Finance Committee Chairman will renew investments as they mature. If funds are not reinvested approval of the Finance Committee must be secured before these funds can be placed in the operating account.

d.) The elected Department Officers and the Department employees will be bonded in an amount equal to but not to exceed the total net worth of the Department.

e.) All checks must be printed with the name of the Disabled American Veterans, Department of Oklahoma, address, telephone number, consecutive numbers and two signature lines. The signature lines will be for the Department Commander, the Department Finance Officer and/or the Department Senior Vice-Commander.

Section 6. The Department Inspector will, at the direction of the Department Commander, or by a majority vote of the SEC or Convention, investigate any alleged violations of the National or the Department Constitution and Bylaws, except that such Inspector will not investigate any matter within his own chapter. In this instance the Department Commander must appoint a special investigator. He will make a full written report to the Department Commander monthly and/or within thirty (30) business days of the close of the investigation.

Section 7. The Department Judge Advocate will be the legal adviser of this Department. He will, upon request of the Department Commander, SEC or Department Convention, render his opinion upon all questions arising out of Department and Chapter matters.

a.) Upon receiving the opinion of the Department Judge Advocate upon any question, the Department Commander shall render a decision which shall be final unless a written notice of appeal is submitted to the Department State Executive Committee, within thirty (30) business days after mailing of the Department Commander's decision. Such appeal, (stating the grounds on which the appeal is based), will be sent to the Department Adjutant by mail, Return Receipt Requested, who will in turn disseminate the appeal to the SEC members.

b.) In the event such appeal is filed the decision of the Department SEC will be final unless a written notice of appeal to the Department Convention, (stating the grounds of the appeal), is filed with the Department Adjutant by mail, Return Receipt Requested, within forty-five (45) days of the mailing of the SEC's decision. Under any such appeal, the burden shall be on the appellant to demonstrate that the decision is clearly erroneous. In all such cases, the decision of the Department Convention shall be final.

c.) The Department Judge Advocate will serve as Chairman of the Constitution and Bylaws Committee. He will pass judgment on the provisions of Department and Chapter Constitution and Bylaws and Amendments thereto, and approve/disapprove them before they are sent to National for approval.

Section 8. The Department Chaplain will perform his duties in compliance with National Bylaws as outlined in the official Ritual.

ARTICLE V - APPOINTIVE OFFICERS

Section 1. Following the election of Department Officers the SEC shall retain or hire the Department Adjutant. The Department Commander may also appoint/reappoint all other officers he deems necessary with the approval of the SEC.

Section 2. The term of office of persons appointed by the Department Commander under these Bylaws will not exceed that of the appointing power and may be terminated anytime by the appointing power, provided, however, that the removal of the Department Adjutant by the Department Commander is subject to approval by a two-thirds vote of the SEC. The SEC may, by a two-thirds vote of its members, remove the Department Adjutant from office for cause.

Section 3. In addition to the other duties or powers set forth by these Bylaws, the Department Adjutant will be the manager of the business and administrative affairs of this organization. He will attend all Department Convention, SEC and the Finance Committee meetings as the secretary of these bodies but will have no vote. He will be responsible for the Department office, its property and will oversee all personnel assigned, hired or appointed to conduct business in that office and as such will be directly responsible to the Department Commander and the SEC.

a.) The Department Adjutant will be subject to and comply with all decisions, directives, policy letters, resolutions, mandates, and orders of the Department Commander, the Department Convention and the SEC.

b.) He will ensure that copies of the minutes of each SEC meeting and Department Convention are posted and or emailed to the Chapters mailing address, and will distribute other important information from National Headquarters to all Chapters, Committees, Department Officers and members of the SEC and NSO offices.

c.) The salary of the Department Adjutant will be determined by the Department Finance Committee with the approval of the SEC. Said salary may not exceed the amount specified in the approved budget.

d.) The Department Adjutant, if retained, will maintain and provide continuity from Department Commander to succeeding Department Commander.

Section 4. The Department Adjutant, with the concurrence of the Department Commander, will:

a.) hire Department Service Officers (DSO) to fill positions approved by the Convention and included in the approved budget. Input from National Service Officers should be solicited.

b.) hire Hospital Service Coordinators (HSC), with notification to the NSO Office, and maintain the DAV Transportation Service.

c.) hire all other Department employees as deemed necessary.

d.) Employees will be governed by their Policy Letters. Salaries for these positions are established in the approved Department budget.

Section 5. The Department Adjutant, with the Department Finance Committee, will review the current budget and establish a temporary and initial full time salary for new employees.

ARTICLE VI - VACANCIES AND RESIGNATIONS

Section 1. The elected Department Officers will be installed before the close of the Department Convention where they were elected and will hold their respective offices until successors have been installed or until by due process the Department has determined that a vacancy exists.

a.) In the case of the absence of the Department Commander or Department Vice-Commanders from office by death, resignation, inability to discharge their duties for thirty (30) days or more or through any other proper legal procedure one of these offices is vacated, that office will devolve upon the next Department Vice-Commander in succession. In the event that any Department Vice-Commander declines to accept the office in the line of succession, their immediate resignation will be required and the Department Commander will declare the office vacant. The Department Commander, with the approval of the SEC, will appoint members to the vacant positions in the proper order of succession below the incumbent Vice-Commander.

b.) In the event the office of the Department Commander becomes vacant, the Department Vice-Commander first in succession accepting this position will become Department Commander. If more than one-half (1/2) of the vacating Department Commanders tour remains the succeeding Department Commander, at the conclusion of that tour, will be designated the Past Department Commander for that entire tour. However, if less than one-half (1/2) of that tour remains, the designated Department Commander will be eligible to succeed to a full term of office.

c.) In the event that any other Department office becomes vacant the Department Commander may appoint a member to that office on a temporary or permanent basis with the approval of the SEC.

d.) Elected Department Officers and SEC members may be removed from office, for cause, by a two-thirds vote of the SEC.

ARTICLE VII - OATH OF OFFICE AND INSTALLATION

Section 1. Before the close of the Convention, or within twenty-four (24) hours following the election or appointment of Department Officers, the installation ceremony will be performed. The incoming Department Commander may select the installing officer.

Section 2. All Department Officers, elected or appointed, will subscribe to the following oath or obligation:

"I (full name), upon my word and honor as a member of the Department of Oklahoma, Disabled American Veterans, in the presence of Almighty God and my Comrades and before the flag of my country, accept the office to which I have been elected or appointed. I promise to perform the duties of such office to the best of my ability. I pledge to act and conduct myself in such a manner at all times and places as will only affect the good of the order. I promise to enforce and sustain the Constitution and Bylaws of this organization. When my successor has been duly

elected or appointed and installed, I promise to surrender to him all property of the order in my possession - all of which I now affirm so help me God".

ARTICLE VIII - STATE EXECUTIVE COMMITTEE

Section 1. The SEC will be composed of the Department Commander, the immediate PDC, the Department Senior Vice-Commander, the Department Junior Vice-Commanders, and one committeeman from each Chapter, installed by the Chapter. Each Chapter will elect or appoint one (1) SEC and two (2) alternates per Chapter. One (1) of the alternates may represent their chapter in the event the committeeman may be absent. The names of the committeeman and two (2) alternates will be forwarded to the Department Adjutant with the Chapter Officer Report.

Section 2. SEC representatives will serve without pay or allowances from the Department except for a special SEC called by the Department Commander, and travel may be reimbursed at the approved rate.

Section 3. The SEC will meet not less than two (2) times during the year. The first meeting will be immediately following and in conjunction with the Department Convention. The second SEC will be held prior to the commencement of the next Department Convention. Additionally, the Department will hold a Fall and Spring Conference.

Section 4. The Department Commander will have the authority to call a special meeting of the SEC in case of an emergency, provided that the reason therefore, the time, place and enough advance notice will be given by the Department Adjutant to enable all to attend. Any action that might be taken at a special meeting of the SEC may be taken without calling a special meeting if a record or memorandum is made and receives a majority of the vote of the members.

Section 5. A quorum is thirty-five percent (35%) of the voting Chapters and voting officers combined who answer roll call on the first day of the meeting, irrespective of whether some may have departed. The regular business of the Department requiring the consideration of the SEC between stated meetings will be transacted through the office of the Department Adjutant by means of electronic/multi-media.

Section 6. The Department Commander will have the power to appoint such ad-hoc committees as he deems necessary.

ARTICLE IX - FUND RAISING

Section 1. The revenue of the Department will be derived from per capita tax, contributions and such other sources as may be recommended by the Department Finance Committee, the Fund-Raising Committee or the Board. All Department fund raisers must be approved by the SEC or Board and the NEC.

Section 2. All funds received by the Department will be deposited in a bank or trust company recommended by the Finance Committee, with the approval of the Board, in the name of the DAV. Upon request by the National Commander or the National Adjutant, the department shall submit satisfactory evidence of the value of assets owned by the department or its affiliated entities as defined in the National Bylaws.

Section 3. The Wilkinson Memorial Fund will help fund the HSC Transportation and Service Work Programs exclusively. Donations to this fund will not be co-mingled with the general fund for routine administrative expenditures.

Section 4. If one (1) Chapter desires to conduct a citywide fund-raising project in a city with more than one (1) Chapter, then such Chapter will advise, by Return Receipt Requested letter, all other Chapters in said city of its intention to request approval for the fund raiser from the Board of Directors forty-five (45) business days before the fund raiser. Any Chapter opposing the proposed fund raiser will, within forty (40) days, forward its objection to the Department Board for resolution.

Section 5. The Chapters may conduct a Forget-Me-Not drive annually in accordance with National Bylaws.

Section 6. The revenues of Chapters and/or Auxiliary Organizations of this Department will be derived from dues, contributions and such other sources as may be recommended by each Chapter and/or Auxiliary Organization. When no commissions are to be paid and solicitation of funds will be only by personal contact of friends or members, no prior approval will be required for a fund-raising project when the net receipts will be less than $5,000. Advance notice to the Department will be required for all Chapter fund-raisers. When the net receipts are expected to exceed $5,000, prior approval of the Board is required. Advance notice to the Department will be required for all Chapter and /or Auxiliary Organizations fund-raisers that will be jointly conducted by non-DAV members, or a non-DAV organization hosting a fundraiser to benefit a Chapter.

a.) Each subordinate body whose gross annual income exceeds $300,000 from all sources, excluding membership per capita, should within seventy-five (75) days after the close accounting year submit an audit reviewed by a Certified Public Accountant, to the Department, to be forwarded to National Headquarters.

Section 7. Each Chapter will keep a complete financial record of all money received, expended and remitted, and all money must be deposited in the name of said Chapter. Upon request by the National Commander or the National Adjutant, the chapter shall submit satisfactory evidence of the value of assets owned by the chapter or its affiliated entities as defined in the National Bylaws. Each Chapter will have an audit committee composed of at least three (3) members of the Chapter, excluding the Chapter's Commander, Senior Vice-Commander, Treasurer, Adjutant and Finance Committee Chairman. This committee will conduct an annual audit and submit a report of same to the Department within ninety (90) days after the close of the accounting year of the Chapter. If the gross receipts, excluding dues, exceed $10,000, an audited report will be submitted to the National Organization also. All financial reports will specify and itemize the precise expenditure of all funds of the Chapter during the reporting period. Broad or general classifications will not be deemed acceptable and may subject the Chapter to the audit provisions of the National Bylaws. Failure to file annual financial reports will be sufficient cause to suspend or revoke the Chapter Charter. The accounting year of each Chapter will be July 1 through June 30.

a) All Chapters will file annually with the Internal Revenue Service.

b.) Membership, OVAP Transportation, Veteran Center Bingo and Forget-Me-Not drives will be excluded from the fund-raising portion. These items will be listed on the financial report

in the appropriate columns except the Veteran Center Bingo, which will be listed under VAVS Bingo.

c.) If, in the opinion of the National Organization or the State Department a financial audit of the Chapter is necessary, and the National Commander or Department Commander so authorizes it, such audit will be conducted by the National Organization or State Department at Chapter expense.

ARTICLE X - STANDING COMMITTEES

Section 1. The Department Commander will, within sixty (60) days following the Department Convention, appoint the following standing committees who will normally serve without pay or allowances. Approval of said appointments will be obtained from the SEC or by use of letter ballots or electronic media sent from the Department Adjutant's office. Travel on Department business may be reimbursed at the approved rate to any member of a committee called into special session by the Department Commander. Each committee will notify the Department Adjutant, in writing, of the name, address and phone number of the committee chairman and the committee vice-chairman.

a.) CONSTITUTION AND BYLAWS COMMITTEE

1.) The Constitution and Bylaws Committee will consist of not less than four (4) members who are well versed on Roberts Rules of Order and the National and Department Constitution and Bylaws. It will be the duty of this committee to advise, evaluate and recommend changes that will improve or update the Constitution and Bylaws of the Department. The committee will submit their proposed changes for approval at the next Department Convention. This committee will be chaired by the Department Judge Advocate and will elect a vice-chairman.

b.) LEGISLATIVE AND POLITICAL EDUCATION COMMITTEE

1.) This committee will consist of the Department Commander, Legislative Committee Chairman, Adjutant, and the Chapter Legislative Officers. This committee will be chaired by the Legislative Committee Chairman and will elect a vice-chairman.

2.) The authorized delegation to attend Mid-Winter Conference will consist of the Department Commander, Legislative Committee Chairman, and the Adjutant. If for any reason one (1) or more of these delegates are unable to attend, the Department Commander and the Department Senior Vice-Commander may appoint, from the Department Line Officers and/or the Legislative Committee, a replacement to fill the vacancy. The members of this delegation will be reimbursed for their expenses by the Department if not receiving reimbursement from another source. The Department Legislative Committee Chairman will be Chairman pro-tempore of this committee. This is a line item and the Legislative Committee Chairman may be advanced money to cover the cost of the three (3) delegates' expenditures as stated in the budget with proper accounting (receipts).

c.) RESOLUTIONS COMMITTEE

1.) It will be the duty of this committee to meet as necessary, elect its own chairman and vice-chairman, and render a report to the Department Convention on all resolutions reviewed by the committee. This committee will consist of not less than three (3) members. All resolutions

must be submitted to the office of the Department Adjutant electronically, printed or typewritten and signed by the sponsoring Chapter or individual committee. Except for a required signature, no resolution will be rejected on any technicality or for any defect in form. All resolutions must be in Department Headquarters thirty (30) days before the Convention. The SEC may adopt any resolution that pertains to Federal or State Legislation concerning Veterans.

d.) MEMBERSHIP COMMITTEE

1.) The Membership Committee will consist of not less than four (4) members who are active in recruiting members to the DAV, and will be appointed from different Chapters within the State. This committee will be chaired by the Department Line Officer appointed by the Commander and will elect a vice-chairman. It will be the duty of this committee to coordinate membership drives, help the Chapter Membership Committee and implement programs for the purpose of enlisting new members in the DAV. The Committee will meet and render a report to the SEC and the Department Convention on its progress.

e.) HOSPITAL COMMITTEE

1.) The Hospital Committee will consist of not less than five (5) members. This committee will be chaired by the Department VAVS State Chairman and will elect a vice-chairman. It will be the duty of this committee to keep the Department members informed on the status of the VA Hospitals located within the State of Oklahoma, to include all State Veterans Centers and to initiate and sponsor programs that will provide for morale and welfare of patients admitted to these facilities.

f.) EMERGENCY GRANT AND HOMELESS VETERAN COMMITTEE

1.) Composition: This committee will be composed of seven (7) members to be appointed by the Department Commander.

2.) This committee will be chaired by the Line Officer appointed by the Commander and will elect a vice-chairman.

3.) This committee will have a budget item that will be used to aid and help worthy, (as defined by the National Constitution and Bylaws), disabled veterans, widows, orphans and dependents. Any money used or spent will be under policies established at the Department Convention or by the SEC. This committee, by their very function, will be carrying out the reasons for the existence of the DAV. Each application will be reviewed and approved or disapproved by the Chapter Service Officer and or the Chapter Commander, or other Chapter Line Officer. If approved by the Chapter, the grant request will then be submitted to the Department for review and approval by no less than two (2) Department Line Officers.

4.) It will be the duty of this committee to keep the Department informed on the condition of the homeless Veteran population in the state of Oklahoma and to develop partnerships and relationships with the volunteers and other Veteran and community agencies to provide vocational, social, physical and emotional support necessary to our Veterans in taking their rightful place as citizens in our community.

g.) DEPARTMENT FINANCE COMMITTEE

1.) The Department Finance Committee shall be composed of the Department Commander, four (4) elected members and the Department Finance Officer. The Department Senior Vice-Commander and Department Adjutant shall be members without vote.

2.) In even numbered years, two (2) members will be elected from the even numbered Chapters within the Department. In odd numbered years, two (2) members will be elected from the odd numbered Chapters within the Department. They will be elected at the State Convention in the same manner as State Officers and shall serve for two (2) years. If more than two (2) members are nominated to the same position and none receives a majority of the votes, a run-off election will be held with the two (2) candidates receiving the most votes competing. The candidate receiving the majority of the run-off election votes will assume the vacant position. Their terms of office shall run concurrently with the fiscal year, July 1 through June 30, of the Department. No two (2) members will be elected from the same Chapter.

3.) The Department Commander will chair this committee. In the absence of the Department Commander the Department Senior Vice-Commander will chair the meeting. The finance committee chair will only vote to break a tie. If the position of a Department Finance Committeeman is vacated, or they have been removed from the committee due to three (3) unexcused absences, the Department Commander will within fifteen (15) business days appoint one (1) member to the Department Finance Committee to fill the vacant position, from the appropriate Chapters, who shall serve the remainder of his predecessor's term, with the approval of the SEC.

4.) The Finance Committee will provide oversight and assessment of the financial operations of the Department. The Finance Committee will implement financial policies to ensure that all finances and assets of the Department are managed in a prudent and responsible manner.

5.) The Finance Committee shall solicit budget input from the Department Officers and Committee Chairmen which may be used to formulate a budget before the Department Convention. Copies of the proposed budget will be sent to each chapter no later than thirty (30) days prior to the scheduled Convention date. This budget will be submitted to the Convention for ratification or rejection as a whole. In the event the budget is rejected, it will be returned to the Finance Committee with directions and then will be resubmitted to the Convention for approval or rejection. In the event the Department Convention should adjourn without approving the budget, the Board will determine the budget.

6.) The Finance Committee may transfer line item amounts and authorize expenditures within a specific Item Line Category, in those incidents where a particular sub-category is expected to exceed its limit, as long as the total annual budget approved at the Department Convention is not exceeded.

7.) They will dispose of property determined to be excess to the needs of the Department.

8.) Travel may be reimbursed at the approved rate.

9.) The Finance Committee will meet not less frequently than once every other month. A special meeting may be called anytime by the Chairman of the Committee or by any three members upon notice to all members of the Committee. Any meeting may be postponed due to weather or unforeseen circumstances with the approval of the majority of the finance committee. The committee may approve disbursements via electronic/multi-media.

10.) The Finance Committee will budget for New Chapters to help in organizational expenses.

h.) FUND-RAISING COMMITTEE:

1.) The Department Fund-Raising Committee will be composed of no fewer than five (5) members. This committee will elect their own Chairman and Vice-Chairman.

2.) It will be the responsibility of this committee to create ideas and plan fund raisers that will be of direct benefit to the Department and Chapters. They will recommend their fund-raising plans, which have been approved by the committee, to the Finance Committee and the SEC for approval as required by these bylaws. They will coordinate approved fund raisers with the Department. Note: Fundraising Committee should meet after receiving proposed budget and before the Convention to determine necessary

i.) AUDIT COMMITTEE

1.) The Department Commander will appoint a three (3) person Audit Committee approved by the SEC excluding the Department Commander, Department Senior Vice-Commander, Department Finance Officer, Department Adjutant, and Department Finance Committeemen who shall conduct an annual audit and submit a report of same to the National Organization within 90 days of the close of the accounting year July 1 through June 30.

j.) Nominating Committee

1.) The Department Commander will appoint a Chairman, Recorder and 3 to 5 committee members. The committee will be composed of members that maybe selected from the odd or even numbered Chapters.

2.) In even numbered years the even numbers Chapter will be represented on this committee. On odd numbers years odd numbered Chapters will be represented on this committee.

3.) Prior to nominations at our annual Department Convention, this committee at the direction of the Chair will conduct interviews of all members in good standing who seek an elected office within the Department.

4.) Prior to the actual opening of the floor for nominations and elections the Committee Chairman will announce the committee's recommendations for each office.

ARTICLE XI - CHAPTERS

Section 1. Chapters will hold elections and install officers during June. Each Chapter will elect a Chapter Commander, a Chapter Senior Vice-Commander and one (1) or more Chapter Junior Vice-Commanders. Each Chapter will elect or appoint a Chapter Adjutant, a Chapter Treasurer, one (1) SEC Committeeman and two (2) Alternate SEC Committeemen, and Chapter Service Officers CSO(s) as needed. It may elect or appoint other officers as may be necessary to operate the Chapter. Appointed officers will serve at the pleasure of the appointing power. Neither a chapter Commander nor any Vice-Commander may serve as Adjutant or Treasurer. There will be no voting by proxy or voting by absentee ballot.

a.) All elected or appointed Chapter Service Officer (CSO) must attend and successfully pass the Chapter Service Officer Training and Certification School to receive maximum coverage under the National Headquarters sponsored indemnity insurance. The National Service Offices will provide this training school, with all instruction being provided by the National Service Office (NSO) Supervisor and/or his appointed representative for their jurisdiction. Certification of CSOs is required annually to maintain insurance coverage.

b.) The Department will not recognize any elected or appointed CSO that is not listed on the Chapter Service Officer Report for his/her Chapter. Chapters that have multiple CSOs must list all CSOs names with all required information on a separate page affixed to each copy of the standard Officer Report. The Department Commander will be notified, by the NSO in charge of training, of all CSOs that successfully completes certification training, prior to the Department issuing a Certified Chapter Service Officer certificate.

c.) Any Chapter who elects or appoints a CSO during the membership year must notify the Department Headquarters and National Headquarters of the change by submitting a new Chapter Service Officer Report.

d.) Upon the election or appointment, and the installation of the successor to any such office, all Chapter property in his predecessor's possession will be surrendered to the newly installed officer.

e.) Each Chapter will submit a Chapter Officer Report to the Department and National Organization within ten (10) days after the installation of newly elected or appointed Chapter Officers. In addition, each Chapter will submit the names, addresses and phone numbers of their SEC representative and alternates on a Chapter SEC form, provided by the Department, to Department Headquarters with their Chapter Officer Report. The Chapter Officer Report will be completed on the form provided by National Headquarters and will be certified by the Chapter=s new Commander and Adjutant. Any subsequent change in the elected or appointed officers of the Chapter during the membership year requires the submission of an amended Chapter Officer Report to the Department and National Organization within ten (10) days after the installation of newly elected/appointed successor Chapter Officers. Failure to file complete annual or amended Chapter Officer Reports in accordance with the provisions of this paragraph will be sufficient cause to suspend or revoke the Chapter Charter.

Section 2. The Finance Committee will budget funds for new Chapters to help in organizational expenses.

ARTICLE XII - DISCIPLINARY ACTIONS

Section 1. Charges may be preferred against any member of the Disabled American Veterans and must be in accordance with Article 16 of the National Bylaws.

Section 2. The Department of Oklahoma will pay court costs, attorney fees, transportation and other expenses incurred by the Department Commander, Department Adjutant, Department Judge Advocate or any other Department Officer, should civil charges be brought against an officer in the proper performance of his duty.

ARTICLE XIII - LEGISLATIVE ACTIVITIES

Section 1. No member will appear before any legislative body and speak in the name of the Department, chapter or subordinate unit, supporting, sponsoring or opposing any legislation that has not been approved by the Department Convention or SEC. Resolutions dealing with Federal and State legislation may be approved at the Department Convention or SEC.

Section 2. The Department of Oklahoma will be nonpolitical and nonsectarian. The name of this organization or name of any unit thereof will not be used in representing the desires or wishes of its membership in any political, sectarian or labor dispute. However, the foregoing will not prevent this organization or any unit from participation in political issues that have a direct bearing upon the welfare of this nation's Disabled American Veterans.

Section 3. Candidates for political offices, state or national will not be allowed to campaign at the Department Convention, SEC meetings, or Chapter meetings, while the meetings are in session.

ARTICLE XIV- CONDUCT OF MEETINGS

Section 1. The order of business of all meetings will be conducted in accordance with the official Ritual of the National Constitution and Bylaws order of business; except that all Department and Chapter regular meetings, including the SEC, Fall and Spring Conferences and the annual Department Convention shall be open to all Veterans and invited guest. This exception does not preclude the Department Commander or a Chapter Commander from closing a meeting to Veterans who are not a member of the Disabled American Veterans provided that the reason for closing the meeting is warranted such as discussing a disciplinary issue regarding a member or discussing financial data considered to be sensitive in nature. Department or Chapter Commander shall not close department or chapter meetings to non-members based solely on their discretion. In an instance when the Department Commander or Chapter Commander deems it necessary to close the meeting it shall be in compliance with Robert's Rule of Order: the meeting shall be closed, the order of business shall be performed and the closed session will return to its regular open session thereafter.

ARTICLE XV - LOANS

Section 1. No funds of the Department or any subordinate unit will be used for making loans of any kind.

ARTICLE XVI - AMENDMENTS TO BYLAWS

Section 1. The Bylaws of the Department may be amended at any Department Convention by majority of the total delegates present and voting

Section 2. Amendments to these Bylaws, submitted by Chapters, must be submitted to the Department Adjutant not later than seventy-five (75) days prior to the Convention. The Department Adjutant must submit all proposed changes to the Constitution and Bylaws Committee for consideration not later than sixty (60) days prior to the Convention.

Section 3. The Department Adjutant will ensure that a copy of the proposed amendments is emailed to each Chapter no later than thirty (30) days prior to the scheduled Convention date which mailing is considered a first reading.

Section 4. Proposed amendments which are in conflict with the National Bylaws will not be accepted. They will however, be returned to the originating Chapter or Officers with a notation that they are in conflict.

Section 5. The Constitution and Bylaw Committee will have the right to combine like amendments or to rewrite proposed amendments for the purpose of clarity or continuity prior to presenting of same on the convention floor for adoption. The committee will also have the right to initiate proposed amendments, provided however that any committee proposed amendments must be read to the convention delegates during a business session as soon as possible prior to the final vote.

Section 6. If the delegates at a convention vote to add or eliminate a function to the organization structure, or direct any other actions not covered by the existing bylaws, the Constitution and Bylaws Committee will be directed to meet immediately to draft any required Constitution and/or Bylaw changes needed to implement the directions of the Convention delegates. The Committee will as soon as possible draft the proposed changes which will be presented to the convention delegates at the beginning of the next session of the Convention.

Section 7. Amendments will be read to the Convention no later than the second day prior to the scheduled day of adjournment of the Convention, and voting thereon will begin the following day.

Section 8. To the extent to which any of the provisions of this Constitution and Bylaws are, or may at any time become, inconsistent or in conflict with the provisions of the Constitution and Bylaws and lawful mandates, decisions and regulations of the National Organization, or State of Oklahoma Statutes, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended as to conform thereto.

ARTICLE XVII – DEPARTMENT EMPLOYEES

Section 1. Employment Policy

a.) The Department Commander and Department Adjutant are authorized to formulate and/or amend the Department Employee Policy Letter for the Department of Oklahoma, which shall be in writing and distributed only to employees.

b.) The approved copies of the Department Employee Policy Letter will be kept on file for five (5) years and will be made available to any member.

c.) Preference shall be given to members of the DAV/DAVA, their spouses, dependents or survivors in the selection of employees by the Department of Oklahoma.

d.) Hotel accommodations and meals will be paid for the Department Adjutant. Department Employees when required to attend committee meetings or the Department Convention and SEC meetings who live 50 miles or farther from the location of the meeting will have their accommodations and meals paid for.

I certify, to the best of my knowledge that the Constitution and Bylaws of this Department do not conflict with those of the National Organization and to that extent are hereby approved.

Craig Vance

Department Commander

6/30/2015
Date

Paul Wekenmann

Department Judge Advocate

6/30/15
Date

DAV National Judge Advocate

7-10-15
Date

I CERTIFY that the within constitution and/or by-laws does not conflict with those of the National Organization, and to that extent, is approved.

DATE: 7-10-15

DAV National Judge Advocate