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May 16, 2025

Mr. Robert E. Servant, Adjutant
William V. Brooks Chapter #47
Disabled American Veterans
1000 Galvin Road S.
Bellevue, NE 68005

EIN: 31-1100097

Dear Adjutant Servant:

The Constitution and Bylaws for William V. Brooks Chapter #47, Department of Nebraska is hereby approved as of this date, with the following change.

There is a page break separating the Chapter Constitution from the Bylaws, which must be removed to prevent further additions to the Constitution and Bylaws after they have been signed and executed.

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

Sincerely,

Michael E. Dobmeier
National Judge Advocate

MED:js
Enclosure

c: Department of Nebraska

CONSTITUTION AND BYLAWS OF DAV NEBRASKA CHAPTER #47

BELLEVUE NEBRASKA

CONSTITUTION

ARTICLE I — NAME

The name of this Chapter shall be William V. Brooks Chapter #47, Department of Nebraska, DAV (Disabled American Veterans).

ARTICLE II — PURPOSE

The purpose of this Chapter is to fulfill our promises to the men and women who served, and, in furtherance of that purpose, to support the programs of the Disabled American Veterans as provided in the National Constitution and Bylaws and Regulations of the National Executive Committee.

ARTICLE III — MEMBERSHIP

Membership in this Chapter shall conform with the requirements set forth in the National Constitution and Bylaws. There shall be no associate, special, or honorary memberships in this Chapter.

ARTICLE IV — ADMINISTRATION

Section 1: The administrative affairs of this Chapter shall be vested in the Chapter Executive Committee in emergencies only, and all other actions of the Chapter Executive Committee must be ratified by a majority vote of those Chapter members present and voting at the next regular Chapter meeting.

Section 2: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander(s), Treasurer, Chaplain and any other elected Chapter officers.

Section 3: At the time specified in the Chapter Bylaws, the Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander(s), Treasurer and a Chaplain. The Commander shall appoint an Adjutant and such other officers as may be necessary to operate the Chapter. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

ARTICLE V — EXECUTIVE

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

ARTICLE VI — AUXILIARY

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

ARTICLE VII — AMENDMENTS

This Constitution may be amended at any Chapter meeting by a vote of two-thirds of those Chapter members present and voting, subject to approval of the Department and National Judge Advocates, and effective only after the date of said approval, provided that any such amendment is read at two (2) meetings and that all Chapter members were notified of the proposed change prior to each of the two (2) meetings.

MED

BYLAWS

ARTICLE 1 — ORGANIZATION

Section 1: This Chapter recognizes the National Organization known as DAV (Disabled American Veterans), incorporated by an Act of Congress and affirms its allegiance and subordination to the National Organization, its Constitution, Bylaws and all rules, mandates and regulations promulgated pursuant thereto. Upon dissolution of the Chapter, the assets remaining after the payment of its debts shall be distributed as provided in Article 6 of the National Bylaws.

Section 2: The governing body of this Chapter shall be the Chapter in session, except as otherwise provided in this Constitution and Bylaws.

Section 3: Minutes of the meetings of the Chapter, including the Chapter Executive Committee, shall be kept and be available for inspection by any Chapter member in good standing.

ARTICLE 2 — CHARTER

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

ARTICLE 3 — EXECUTIVE COMMITTEE

Section 1: The Chapter Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander(s), Treasurer, Chaplain, and any other elected Chapter officers.

Section 2: Meetings of the Chapter Executive Committee shall be called by the Commander or upon written request from a majority of its members, submitted to the Commander.

Section 3: Appointed officers, committee chairmen and Chapter members in good standing may attend the Chapter Executive Committee meetings, but without the right to vote. The Adjutant shall attend Executive Committees meetings and act as the Secretary.

Section 4: A majority of the members of the Chapter Executive Committee shall constitute a quorum.

Section 5: The Chapter Executive Committee may act for the Chapter only in emergencies and at all other times shall recommend courses of action to the Chapter in session.

ARTICLE 4 — OFFICERS

Section 1: The Chapter shall elect annually a Commander, Senior Vice Commander, Junior Vice Commander, Treasurer, and a Chaplain. Neither the Chapter Commander nor any Chapter Vice Commander may serve as Chapter Adjutant or Treasurer.

Section 2: The Commander, with the consent of the Chapter, shall appoint the Adjutant and Chapter Committees, with the exception of the Nominating Committee, which shall be elected by the Chapter.

Section 3: Such other officers as may be necessary to operate the Chapter may be appointed by the Commander, with the consent of the Chapter.

Section 4: A Chapter officer report shall be submitted to the State Department and National Organization within ten (10) days after the installation of newly elected or appointed Chapter officers or in the event of any subsequent change in the Chapter officers during the membership year.

Section 5: There shall be no voting by proxy or voting by absentee ballot.

Section 6: The Commander shall be the presiding officer at all Chapter meetings, and, in the absence of the Commander, the duty will fall to the next highest officer in line of succession who is present.

Section 7: The Senior Vice Commander shall be the Membership Chairman and, as such, is responsible for campaigns to increase membership.

Section 8: The Treasurer shall serve as the Chair of the Finance Committee and oversee the financial affairs of the Chapter. All Chapter funds shall be received and promptly deposited into a designated bank account in the name of the Chapter, without any deductions or offsets. The Treasurer shall authorize disbursements exclusively through checks or vouchers, signed as required. A standardized system of accounts, approved by the Chapter, shall be maintained, along with proper documentation of all receipts and payments. A Monthly Financial Report, detailing receipts and expenditures, shall be presented to the Chapter no later than the first regular meeting following the end of each calendar month. Additionally, an Annual Financial Report, audited and approved by the Chapter Audit Committee, shall be submitted to the State Department and National Organization within ninety (90) days after the close of the Chapter's accounting year, in compliance with the National Bylaws.

Section 9: Upon election, or appointment, and installation of the successor to any such Chapter office, all Chapter property in the chapter officer's predecessor's possession shall be surrendered to the newly installed officer.

ARTICLE 5 — QUALIFICATIONS

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

ARTICLE 6 — TENURE OF OFFICE

Section 1: Officers of the Chapter shall be nominated during the February meeting and again immediately prior to the March election meeting.

Section 2: Elected and appointed officers shall be installed within thirty (30) days of their election or appointment. Elected and appointed officers shall serve for one (1) year or until newly elected or appointed officers have been installed. The Chapter Commander will serve for one (1) year not to succeed him or herself for more than one additional year.

Section 3 – Appointed Chapter Officers and Committees

Para 1. The Commander, with the approval of the Chapter, shall appoint an Adjutant, who will serve as the Chief Executive Officer of the Chapter. The Commander may not appoint themselves to this position.

Para 2. All appointed officers and committee members shall serve at the discretion of the appointing authority.

Section 4: Any officer who is absent from three (3) consecutive meetings without prior notification and approval shall be subject to removal by the Chapter. Officers are required to notify the Commander or Adjutant in advance of any anticipated absence. The Commander is authorized to appoint a Chapter member to serve the unexpired term, subject to the approval of the Chapter.

Section 5: In the event the office of Commander shall be vacated for any reason, the Senior Vice Commander shall be elevated to Commander, Junior Vice Commander to Senior Vice Commander. The Commander is authorized to appoint a Chapter member to fill the vacant Junior Vice Commander position, subject to Chapter approval.

Section 6: It shall require a majority vote of those Chapter members present and voting to elect a candidate for any Chapter office. It shall also require a majority of votes cast to elect delegates or alternates to a State or National Convention.

ARTICLE 7 — MEMBERSHIP

Section 1: No new applicant shall be denied Chapter membership if he or she meets the eligibility requirements as set forth in the National Constitution and Bylaws.

Section 2: Only members of the Chapter in good standing are eligible to vote on any motion or at any election.

Section 3: Members of another Chapter may secure a transfer of membership to this Chapter, with the approval of the membership of this Chapter.

ARTICLE 8 — FINANCES

Section 1: The Commander, Adjutant, or Treasurer must promptly deposit all Chapter funds into the Chapter's designated bank account in full, without any deductions or offsets. Authorized disbursements shall be made only through checks or vouchers. All checks or vouchers issued by the Chapter must be countersigned by two (2) of the following: Commander, Adjutant and or Treasurer. No blank checks shall be signed in advance, signatures must be added only after the payee, date and amount sections of the check have been completed. There will also be no credit or debit cards issued to any officer or member in the name of the Chapter.

Section 2: The Commander, Adjutant and or Treasurer shall be charged with handling normal finances in the operation of the Chapter.

Section 3: Membership dues distribution shall be as provided in the National Bylaws.

ARTICLE 9 — MEETINGS

Section 1: Regular Chapter meeting dates, time and location shall be determined by majority vote of the Chapter in session.

Section 2: The Chapter must hold at least four (4) regular meetings with a quorum present within a membership year.

Section 3: Special meetings of the Chapter may be called by the Commander whenever the Commander may deem it necessary or when the Commander is requested in writing to do so by ten (10) or more Chapter members.

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

Rule 1: A quorum shall consist of seven (7) members in good standing, of which at least two (2) must be elected Chapter officers.

Rule 2: Members (to include elected Chapter officers) may participate virtually in general membership meetings of the Chapter. The active membership status of any member participating virtually will be validated at the beginning of each meeting and documented in the Chapter's meeting minutes.

Rule 3: Voting during the election of Chapter officers is limited to in-person participation and will not permit members participating virtually to cast votes, but they may observe. There shall be no form of voting by proxy or by absentee ballot. Members who have trouble, or who are unable to connect virtually, for whatever reason, will not have any recourse to challenge decisions made during the Chapter meeting.

Rule 4: The Chapter will normally use Microsoft Teams as the platform for virtual Chapter meetings.

Rule 5: The Chapter itself is responsible for purchasing equipment necessary to facilitate virtual participation by members at the Chapter meeting and shall not purchase equipment, services, and subscriptions for individual members to use.

Rule 6: Robert's Rules of Order, revised, shall govern the Chapter in all cases to which they are applicable and in which they are consistent with this Constitution and Bylaws, the Department Constitution and Bylaws or the National Constitution and Bylaws.

Rule 7: Discussion of personal grievances will not be in order on the floor unless introduced by the Grievance Committee or other Committees having the authority to consider any such matters.

Rule 8: Matters concerning only an individual member, with respect to the individuals own personal interest, shall not be in order but may be taken before the proper Committee.

Rule 9: Voting shall be by voice unless otherwise requested by at least seven (7) members.

ARTICLE 10 — COMMITTEES

Section 1: All Chapter committees will meet at the call of the Chair or Commander, or as otherwise provided in this Constitution and Bylaws.

Section 2: Committees shall be established and dismissed by the Commander or Chair. Committees shall consist of not less than three (3), but not more than seven (7) members, including the Chair (except as may otherwise be herein provided). The Commander, with the consent of the Chapter, shall appoint committee members, except for the Nominating Committee which shall be elected by the Chapter.

Section 3: The Chapter shall have a Finance Committee and an Audit Committee.

Para 1: Finance Committee Structure the Finance Committee shall consist of the Commander, Treasurer, Adjutant, and three (3) additional members appointed by the Commander, subject to Chapter approval. The appointed members will serve staggered terms: one member for three (3) years, one for two (2) years, and one for one (1) year. The Commander serves as an ex-officio member and may vote only to break a tie. The Treasurer will serve as the Chair of the Finance Committee. The Adjutant will serve as the Secretary, attending all meetings with a voice but no vote.

Para 2: Finance Committee Responsibilities the Finance Committee is responsible for overseeing all revenue, expenditures, and investments of the Chapter. Additionally, the Finance Committee is responsible for:

(1) Developing the Chapter's annual operating budget. The budget shall be presented to the Chapter for review and approval before the beginning of the fiscal year (July 1 – June 30). If the Chapter adjourns without approving a budget, the Finance Committee will determine the final budget. The Finance Committee has the authority to transfer funds between subcategories within an approved budget line item, provided the total approved budget is not exceeded.

(2) Developing the Chapter Aid and Assistance policy and procedures. The Chapter Aid and Assistance policy and procedures shall be presented to the Chapter for review and approval. The approved Aid and Assistance policy and procedures shall be administered by a Benevolence Coordinator, who will be appointed by the Commander, approved by the body or Chapter members in session, to oversee its effective implementation of the Chapter Aid and Assistance program.

Para 3: Audit Committee Structure the Audit Committee shall consist of at least three (3) Chapter members, excluding the Commander, Senior Vice Commander, Treasurer, Adjutant, and any Finance Committee member.

Para 4: Audit Committee Responsibilities the Audit Committee is responsible for conducting an annual audit in accordance with National Bylaws requirements:

ARTICLE 11 — MISCELLANEOUS

Section 1: These Bylaws may be amended at any Chapter meeting by a vote of two thirds of those Chapter members present and voting, subject to approval of the Department and National Judge Advocates, and effective only after date of said approval, provided that any such amendment is read at two (2) meetings and that all Chapter members were notified of the proposed change prior to each of the two (2) meetings.

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

Section 3: If any provision of this Constitution and Bylaws conflicts with the Constitution, Bylaws, or lawful mandates, decisions, and regulations of the governing State Department or National Organization, whether currently in effect or amended in the future, this document shall be automatically amended to align with those provisions.

Section 4: All disciplinary actions shall be conducted in accordance with Article 16 of the National Bylaws and applicable Regulations of the National Executive Committee.

Adopted after this second and final reading on April 26, 2025.


CHAPTER COMMANDER


CHAPTER ADJUTANT


DEPARTMENT JUDGE ADVOCATE


NATIONAL JUDGE ADVOCATE

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 subject to my letter of

Date: 5.16.2025
DAV National Judge Advocate