



(SAMPLE)

CONSTITUTION AND BYLAWS

NATIONAL ORDER OF TRENCH RATS SECTOR _____

(city)

(state)

CONSTITUTION

ARTICLE I - NAME

This Sector shall be known as Sector # _____, of the NATIONAL ORDER OF TRENCH RATS.

ARTICLE II - PURPOSE

The purpose of this Sector is to build better lives for all of our nation's disabled veterans and their families 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 Sector shall conform with the requirements as set forth in the Imperial Constitution and Bylaws. There shall be no associate, special or honorary memberships in this Sector.

ARTICLE IV - ADMINISTRATION

Section 1: The administrative affairs of this Sector shall be vested in the Sector Red Eyed Gnawer and must be ratified by a majority vote of those Sector members present and voting, at the next regular Sector meeting.

Section 2: At the time specified in the Sector Bylaws, the Sector shall elect annually a Golden Rodent, Silver Rodent and Blue Rodent. Such other officers as may be necessary to operate the Sector may be appointed by the Golden Rodent, with the approval of the Sector.

ARTICLE V - EXECUTIVE

The executive power of this Sector shall be vested in the Sector Golden Rodent.

ARTICLE VI - AUXILIARY

This Sector recognizes an Auxiliary known as the Alley Cats, subject to such supervision as conforms with the Imperial Constitution and Bylaws of both organizations.

BYLAWS

ARTICLE 1 - ORGANIZATION

Section 1: This Sector recognizes the National Organization known as Imperial Van, 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 Sector, the assets remaining after the payment of its debts shall be distributed as provided in Article 17, Sections 11, 12, of the Imperial Bylaws.

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

Section 3: Minutes of the meetings of the Sector, shall be kept and be available for inspection by any Sector member.

ARTICLE II - CHARTER

The Charter of this Sector, issued by the Imperial Van, is its authority to function and shall be displayed behind the Golden Rodent's station at all regular meetings.

ARTICLE III - OFFICERS

Section 1, Para. 1: The Sector shall elect annually a Golden Rodent, Silver Rodent and Blue Rodent. Neither the Sector Golden Rodent nor any Sector elected officer may serve as Sector Red Eyed Gnawer.

Para. 2: The Golden Rodent, with the approval of the Sector, shall appoint the Red Eyed Gnawer and Sector Committees, with the exception of the Nominating Committee, which shall be elected by the Sector.

Para. 3: Such other officers, as may be necessary to operate the Sector, may be appointed by the Golden Rodent with the approval of the Sector.

Para. 4: A Sector officer report shall be submitted to the Sector and Imperial within ten (10) days after the installation of newly elected or appointed Sector officers or in the event of any subsequent change in the Sector officers during the membership year.

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

Para. 6: The Imperial Executive Rat from this Sector in good standing to be recommended and/or endorsed from the membership thereof and which has no legal indebtedness owing and due to the Imperial Headquarters. This Sector shall also recommend and/or endorse and alternate.

(a) The Sectors shall recommended and/or endorse an Imperial Executive Rat and an Alternate at the same time as their regular Sector elections. The term of office of each recommended and/or endorsed Imperial Executive Rat shall be for one (1) year. In the event of the removal, death, or resignation or inability to discharge the duties of his or her office, the duties shall devolve upon the Alternate Imperial Executive Rat. In the event of any of the foregoing circumstances with respect to the Alternate, the Sector at its next meeting, shall recommend and/or endorse his or her successor to serve the unexpired portion of the term of office. The newly recommended and/or endorsed Imperial Executive Rats and Alternates will be reported to the Imperial Red Eyed Gnawer for his records.

(b) It is requested that the candidates letter of recommendation be submitted with the forms required for the position. This form must be filled out, and the candidate must go before the nominating committee.

Section 2, Para 1: The Golden Rodent shall be the presiding officer at all Sector meetings and, in his absence, the duty will fall to the next highest officer in line of succession who is present.

Para. 2: The Silver Rodent shall be the Membership Chairman and as such is responsible for campaigns to increase membership.

Para. 3: The Red Eyed Gnawer shall keep an accurate record of all monies received and disbursed and shall deposit any monies received as soon as possible. The Red Eyed Gnawer shall make a report on Sector finances at each meeting and

records shall be open to any member when a request is made in writing. An annual financial report, in accordance with the requirements of the Imperial Bylaws, shall be submitted to Sector and Imperial.

Section 3, Para 1: Upon election or appointment, and installation of the successor to any such Sector office, all Sector property in his or her predecessor's possession shall be surrendered to the newly installed officer.

ARTICLE IV - QUALIFICATIONS

Section 1: Any person who is a member of this Sector shall be eligible to any elective or appointive office in this Sector, except as otherwise provided in this Constitution and Bylaws.

ARTICLE V - TENURE OF OFFICE

Section 1: Officers for the Sector shall be nominated during the May meeting and again immediately prior to the June election meeting.

Section 2: Elected and appointed officers shall be installed within thirty (30) days of their election or appointment. They shall serve for one (1) year or until newly elected or appointed officers have been installed.

Section 3, Para 1: Unexcused absence of any officer from three (3) consecutive meetings shall be cause for removal by the Sector, and the Golden Rodent is empowered to appoint a Sector member to serve the unexpired term, subject to the approval of the Sector.

Para. 2: In the event the office of Golden Rodent shall be vacated for any reason, the Silver Rodent shall be elevated to Golden Rodent, Blue Rodent to Silver Rodent and the vacancy filled as outlined in Para. 1 of this Section.

Section 4: It shall require a majority vote of those Sector members present and voting to elect a candidate for any Sector office. It shall also require a majority of votes cast to elect delegates or alternates to a Imperial Rendezvous.

ARTICLE VI - MEMBERSHIP

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

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

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

ARTICLE VII - FINANCES

Section 1: The Red Eyed Gnawer or other designated officer shall deposit all monies in the name of the Sector and shall countersign with the Golden Rodent or one other designated Sector officer on all checks.

Section 2: The Red Eyed Gnawer or other designated Sector officer shall be charged with handling normal finances in the operation of the Sector.

Section 3: Sectors will post the Finance report from the National Order of Alley Cats in the 'OTHER' section of their Finance report and attach a copy of the National Order of Alley Cats Finance report with voided check or bank statement.

ARTICLE VIII - MEETINGS

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

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

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

Section 4: Rules of Sector 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 Sector officers.

RULE 2. Robert's Rules of Order, Revised, shall govern the Sector in all cases to which they are applicable and in which they are not inconsistent with this Constitution and Bylaws, the Sector Constitution and Bylaws, or the Imperial Constitution and Bylaws.

RULE 3. 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 4. Matters concerning only an individual member, with respect to his or her own personal interest, shall not be in order but may be taken before the proper Committee.

RULE 5. Voting shall be by viva voce unless otherwise requested by at least seven (7) members.

ARTICLE IX - COMMITTEES

Section 1: All Sector committees will meet at the call of the Golden Rodent, or as otherwise provided in this Constitution and Bylaws.

Section 2: Committees shall consist of not less than three (3) nor more than seven (7) members (except as may otherwise be herein provided), including the Chairman. Committees shall be appointed by the Golden Rodent, with the approval of the Sector, with the exception of the Nominating Committee which shall be elected by the Sector.

Section 3: The Sector shall have an Audit Committee composed of at least three (3) members of the Sector, excluding the Golden Rodent, Silver Rodent, Red Eyed Gnawer and Finance Committee Chairman. The Audit Committee shall conduct an annual audit in accordance with the requirements of the Imperial Bylaws.

ARTICLE X - MISCELLANEOUS

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

Para. 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.

Para. 3: 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 Imperial Organization, as now in force or as hereafter amended or adopted, this instrument shall be deemed amended so as to conform thereto.

Section 2: All disciplinary actions shall be conducted in accordance with Article 17 of the Imperial Bylaws and applicable Regulations of the Imperial Executive Committee.

Section 3: The masculine gender, whenever used in these Bylaws, and any documents used by the National Order of Trench Rats, shall include the feminine gender.

Adopted after this second and final
reading on the _____ day
of _____, 20__.

SECTOR RED EYED GNAWER

SECTOR GOLDEN RODENT

SECTOR BENCH RAT

IMPERIAL BENCH RAT

SUGGESTED PROVISIONS FOR SECTOR CONSTITUTION AND BYLAWS

Should you wish to enlarge upon the Model Constitution and Bylaws, the following are suggested provisions and guidelines that can be included in your Sector Constitution and Bylaws at the discretion of the Sector membership.

SPECIAL SECTOR MEETINGS

Special meetings of the Sector may be called by the Golden Rodent whenever the Golden Rodent may deem it necessary, or when requested in writing to do so by (number) or more Sector members. The call of any such special meeting shall specifically state the purpose for which it is called. No other business, not specified in the call, shall be transacted at the special meeting.

OFFICERS AND THEIR DUTIES

The Golden Rodent, or in his/her absence the next highest officer, shall preside at all regular or special meetings of the Sector. He/She shall maintain order and dispatch such business as may legally come before him/her. All checks or vouchers issued by the Sector Red Eyed Gnawer must be countersigned by the Golden Rodent. He shall perform all other duties that may reasonably be assumed to be incidental to his office, including those set forth in this Constitution and Bylaws and in the Official Imperial Ritual, and such other duties as may be lawfully delegated to him by the Sector.

The Silver Rodent and Blue Rodent, in the order named, shall perform the duties of the Golden Rodent in the event of his absence. If the Golden Rodent should die, resign or be removed, the same order of authority would be in effect until a new Golden Rodent is elected.

The Red Eyed Gnawer is responsible for keeping the Sector's records and conducting the Sector's official correspondence. He must keep detailed records of the Sector's meetings and business affairs. All motions considered by the Sector should be recorded along with the names of the members who make, second, or speak on motions. The Red Eyed Gnawer is responsible for the membership records and should make certain they are kept up to date.

At each business meeting, the Red Eyed Gnawer should read the minutes of the preceding meeting and make sure that a motion of approval or rejection is passed.

At each Sector meeting, the Red Eyed Gnawer should read all correspondence received between meetings and see that all matters which require action by the Sector are properly disposed of. He/She should answer all correspondence promptly and file copies of his responses with the Sector records.

The Red Eyed Gnawer shall work closely with the Golden Rodent, Red Eyed Gnawer, and other Sector officers in order to efficiently carry out the duties of his office.

The Red Eyed Gnawer shall receive and immediately deposit all the Sector's money in a bank account in the name of the Sector without any deductions or offsets. He shall make authorized disbursements only by checks or vouchers signed by himself and countersigned by the Golden Rodent. He shall keep a system of accounts approved by the Sector and shall preserve all receipts and checks or vouchers for payments made. He shall render a monthly report of receipts and expenditures to the Sector not later than the first regular Sector meeting following the last

day of each calendar month. An annual financial report, audited and approved by the Sector Audit Committee, shall be submitted to the DAV State Department and DAV National Organization within ninety (90) days after the close of the accounting year of the Sector, as required by the National Bylaws.

The Silver Rodent shall perform the duties of his station as set forth in the Official DAV Ritual for Senior Vice Commander. He shall encourage friendship among the members of this Organization, discourage discord, and promote harmony. Subject to the direction of the Sector, he shall act as Chairman of membership solicitation activities to the end that every eligible veteran may become a member. With the approval of the Sector, the Silver Rodent may appoint one or more members to assist him in such membership activities.

The Blue Rodent shall perform the duties of his station as set forth in the Official DAV Ritual for Junior Vice Commander. He shall see that every member is given a reasonable opportunity to state his views on any subject under discussion in a meeting of the Sector, not inconsistent with this Constitution and Bylaws or Robert's Rules of Order. He shall, at all times, encourage loyalty to the United States of America, to the DAV, and to the members of the Sector. Subject to the direction of the Sector, he shall act as Chairman of the Americanism activities of the Sector and, with the approval of the Sector, may appoint one or more members to assist him as such Chairman.

The Hole-y Rat shall perform the duties of his station as set forth in the Official DAV Ritual for Chaplains. He shall visit the sick and comfort the families of those members who pass away. He shall be responsible for encouraging attendance at DAV conducted funerals and the proper conduct thereof. Subject to the direction of the Sector, he shall act as Hospital Visitation Chairman and, with the approval of the Sector, may appoint one or more members to assist him as such Chairman.

The Historic Rat shall keep a brief history of the activities of the Sector during his term of office, to be kept as a permanent record of the Sector. He shall also act as Publicity Officer of the Sector and regularly furnish proper publicity materials to local newspapers, radio stations and television outlets, as well as official DAV National and Department publications, with the approval of the Golden Rodent. No other member shall cause any publicity to be given to any Sector activity or concerning the Sector without the approval of the Sector.

The Cure Rat shall advise and assist veterans disabled in line of duty during time of war, and their dependents, in the preparation and processing of their claims for benefits from any governmental agency. He shall also assist them in securing suitable, gainful employment.

The Bench Rat, upon the request of the Golden Rodent of the Sector, shall render an opinion upon all parliamentary questions, upon any question arising out of any dispute upon the floor of the assembly, or concerning the interpretation of this Constitution and Bylaws, or the Constitution or Bylaws of the National organizations. Upon receipt of his opinion, the Golden Rodent (or presiding officer, if the Golden Rodent is not in the chair) shall announce his ruling or decision, which need not be in accordance with the opinion of the Bench Rat. Such decision shall be final and binding upon the Sector unless (1) overruled by a two-thirds vote of the members at the meeting during which the decision is announced, or (2) reversed upon an appeal taken to the next higher governing body within thirty (30) days after such decision is made known.

The Iron Claw shall perform the duties of his/her office as set forth in the Official DAV Ritual as Officer of the Day. He shall welcome all visitors and see that each is properly introduced.

In addition to the foregoing, the respective Sector officers shall faithfully perform and carry out such other duties as may be properly assigned to them from time to time by the Sector.

A member can hold only one elective Sector office at any one time. A delegate to a National or Department Convention is not holding an "elective office" within the meaning of this Section, except as otherwise provided herein; an elected officer may also hold an appointive office, and vice versa, except as may otherwise be provided in the National, Sector or these Constitution and Bylaws.

The office of the Red Eyed Gnawer may be held by the same person. The Cure Rat may hold any other elective or appointive office. Neither the Sector Golden Rodent nor any Sector elected officer may serve as Sector Red Eyed Gnawer.

By accepting any elective or appointive office, a member agrees that his services shall be rendered gratuitously and that he shall not be entitled to reimbursement for any sums advanced, incurred or spent unless expressly authorized by the Sector at a regular Sector meeting. No chairman, committeeman, Sector officer or other Sector member shall have the power or authority to incur any expense or obligation or bind the Sector, unless by prior express approval of the Sector, evidenced by a majority vote at a regular meeting. A member, by accepting any elective or appointive office, promises and agrees to perform the duties of such office or appointment to the best of his ability; to act and conduct himself in such manner, at all times and places, as will only affect the good of the Organization; to enforce and sustain this Constitution and Bylaws, and the Constitution and Bylaws of the National and Sector organizations; and when his successor has been duly elected or appointed, to surrender to him without notice or demand all the records and other property of the Sector or of the Organization in his possession or under his control.

NOMINATIONS AND ELECTIONS

All voting for officers shall be by written ballot, except by unanimous consent.

In the event of a vacancy of any elective office, nominations and election to fill such vacancy may be made at the same meeting.

All nominations for Imperial Convention delegates shall be made at the meeting preceding the meeting at which they are to be elected. Election for Imperial Convention delegates shall be held not less than sixty (60) days preceding the opening date of such convention.

Installation of Sector officers shall take place within thirty (30) days of their election or appointment. Officers elected or appointed to fill vacancies shall be installed at the same meeting at which they are elected or appointed.

EXECUTIVE COMMITTEE

Whenever the Sector has had thirty (30) or more members for three (3) consecutive months, the Sector shall set a time, at a regular meeting to be held not more than thirty (30) days thereafter, at which an Executive Committee shall be elected to hold office until the next annual election. Thereafter, the Sector shall elect an Executive Committee at each annual election until such Committee shall be dispensed with by a three-fourths vote of the Sector.

The Executive Committee shall be composed of the Golden Rodent, the Silver Rodent, the Blue Rodent, the Red Eyed Gnawer, and four (4) Sector Executive Committee Members, the latter to be elected from Sector members in good standing as above provided, and in accordance with "Nominations and Elections." Four (4) such committee members shall be elected thereafter at each annual Sector election. The Committee shall elect its own Chairman from its membership, who shall not be the Golden Rodent. None of the four (4) Sector Executive Committee Members shall hold any other elective office in this Sector.

After an Executive Committee has been elected, and so long as it continues to function, no expenditures shall be voted upon or authorized by the Sector in excess of \$50.00, unless first referred to the Executive Committee for its recommendations, except by a three-fourths Sector vote. All fund-raising projects and all agreements and contracts must be referred to the Executive Committee for its recommendations before being acted upon by the Sector.

The Executive Committee shall make recommendations to the Sector, from time to time, which it believes will be of benefit to the Sector.

The Committee shall also act as a Resolution Committee, and no resolution shall be adopted by the Sector unless first submitted to the Executive Committee for its recommendations, except by a three-fourths affirmative Sector vote.

In the event this Committee fails to make recommendations upon any matter referred to it within a reasonable time, the Sector, by majority vote, may act upon such matter without receiving the recommendations of the Committee.

The minutes of each meeting of the Executive Committee shall be read at the next following regular Sector meeting by the Red Eyed Gnawer. The approval of the minutes by the Sector shall constitute an approval of the recommendations and actions taken by the Executive Committee as reported in such minutes. When the minutes are read, any Sector member may request that any part thereof be discussed or voted upon separately. The Executive Committee shall hold one regular meeting each month on the _____ (example: "first Tuesday") at _____ o'clock p.m. and may hold special meetings upon the call of the Chairman or the Golden Rodent, or any three (3) members of the Committee who may request the same in writing. Notice of the time and place of each special meeting shall be given in writing to each member of the Committee not less than forty-eight (48) hours prior to the holding thereof except with the unanimous consent of all members of the Committee. A majority of the members of the Committee shall constitute a quorum.

One of the purposes for the creation and continuance of the Executive Committee shall be to provide a means for the consideration and discussion of routine and other business affairs of the Sector and to make recommendations to the Sector of desired action. This will serve to reduce the time which might otherwise be consumed during Sector meetings in such discussion, streamlining Sector meetings to provide for earlier adjournment and time for entertainment and social activities. However, the sole power to approve or disapprove such recommendations, or to act, in whole or in part, contrary thereto, shall remain in the hands of the Sector.

RESTRICTIONS AND MISCELLANEOUS

The Sector may direct that notice be sent to any elective or appointive officer who has failed to attend three (3) consecutive meetings of the Sector or who, in the opinion of the Sector, does not appear to be fulfilling the duties of his office, stating that at the next regular meeting (giving the

time and place), the matter of his recall from office will be considered. At the meeting set forth in such notice, the Sector, by a vote of two-thirds of those Sector members present and voting, may declare such office vacant and such officer recalled. If an elective officer, his office shall be filled by nomination and election at the same meeting. If an appointive officer, the Golden Rodent shall appoint another member to fill such vacancy with the approval of the Sector.

The rules contained in Robert's Rules of Order, Revised, shall govern the Sector in all cases to which they are applicable and in which they are not inconsistent with this Constitution and Bylaws, or the National Constitution and Bylaws.

The order of business at any regular Sector meeting shall be as prescribed in the Official NOTR Ritual and as dictated by the needs of the Sector.

There shall be no voting by proxy or by absentee ballot. Only members in good standing and present shall be entitled to vote on any question or at any election. The presiding officer shall be entitled to vote only in case of a tie or where the voting is by written ballot.

Each member accepting or retaining membership in the Sector agrees to be bound by this Constitution and Bylaws and the National Constitution and Bylaws, now in force or hereafter adopted or amended. Each member also agrees not to bring any action in any court of law or equity relating to his rights or privileges as a member or officer until all remedies provided by this Sector's Constitution and Bylaws and the National Constitution, Bylaws and lawful mandates have been exhausted.

Except as otherwise expressly provided in the National Bylaws, the Sector shall not sponsor or engage in, directly or indirectly, any fund-raising project without the prior approval of the governing National Bylaws. If the Sector is located in a state not having a Sector, it shall not take such a course without the prior approval of the National Organization.

The name of this Sector must not be used in connection with any political, sectarian or labor dispute, nor in any matter not directly related to wartime service-disabled veterans. Nor shall the Sector enter into or engage in any such activities. However, nothing in this paragraph shall prohibit the Sector from participating in political issues which have a direct bearing upon the welfare of America's disabled veterans.