

KOREAN WAR VETERANS ASSOCIATION CHAPTER #142

Frederick, Maryland

BY LAWS

EFFECTIVE: December 11, 1996

AMENDED: June 10, 1998

AMENDED: August 8, 2001

AMENDED: August 11, 2004

AMENDED: October 8, 2008

AMENDED: March 11, 2009

AMENDED: October 13, 2010

ARTICLE I

NAME & PURPOSE

First: The name or title by which this chapter shall be known shall be: Colonel William E. Weber, Chapter #142, K.W.V.A. of Frederick County, Maryland, Inc.

1. The Chapter shall consist of twelve (12) or more members of the Korean War Veterans Association in good standing, but may grow to any size thereafter. A person must belong to the KWVA to join the chapter.

Second: Its particular business and objects shall be:

1. To organize, promote and maintain for benevolent and charitable purposes an association of persons who have seen honorable service during the Korean War at any time between June 25, 1950 and January 31, 1955, both dates inclusive and of certain other persons, the particular qualifications for membership to be set forth in the By-laws of the Korean War Veterans Association and chapter by-laws.
2. To provide means of contact and communication among the members of the chapter.
3. To aid needy chapter members and their wives and children, and the widows and children of persons who were members at the time of their death.

ARTICLE IA OFFICE

The principal office of the chapter shall be Colonel William E. Weber, Chapter #142, K.W.V.A. of Frederick County, Maryland, Inc., PO Box 1647, Frederick, MD 21702-0647. All communications shall be directed to the office.

ARTICLE II MEMBERSHIP

Section I. Qualification of Members: Membership in this chapter shall consist of regular members, honorary members and associate members.

A. Regular Members

1. Service in the United States Armed Forces. Any person who has seen honorable service in any of the Armed Forces of the United States, said service being within or without Korea, but during the Korean War era (September 3, 1945 – January 31, 1955), or who, as a member of the Armed Forces of the United States as defined by U.S.C. Title 10, served honorably in Korea from February 1, 1955, shall be eligible for membership. No person shall be excluded from membership because of race, color, creed, sex, national or ethnic origin, sexual orientation, or physical or mental disability, so long as the individual meets the service requirements. A person must belong to KWVA to join the chapter.
2. Application. Any person qualified for membership as set forth above may present a written application to any member in good standing on a form prepared and approved by the chapter. The application shall be an agreement that said applicant will agree and abide by and conform to the Chapter By-laws, and regular procedures of the Korean War Veterans Association. The application, when accompanied with the dues as set forth below, may be accepted by the chapter. Person not members of National Korean War Veterans Association are required to submit copy of their DD-214 or other certified evidence of service.
3. Voting Rights. Each regular member in good standing shall be entitled to one vote.
4. Termination of Membership. Chapter members, by affirmative vote of two-thirds of the members present at such meeting may suspend or expel a member for cause after an appropriate meeting. The secretary

may, without a hearing, but upon notice to the member, suspend or terminate the membership of any member who becomes ineligible for membership for non-payment of dues as set forth hereinafter.

5. Resignation. Any member may resign by filing a written request with the Secretary, but said resignation shall not relieve the member so resigning of the obligation to pay any dues, assessments, or other charges theretofore accrued and unpaid.
 6. Reinstatement. Upon written request signed by a former member and filed with the Secretary, the chapter, by affirmative vote of two-thirds of the members present at such meeting of the chapter, may vote to reinstate such former member to membership on such terms as the chapter may deem fit and proper.
 7. Transfer of Membership. Membership in this chapter shall not be transferred or assigned, unless requested by the member transferring.
 8. Charter Members. Members who joined this chapter within the first 60 days of the chapter's life will be classified as the charter members.
- B. Honorary Members. Any person of good character may be elected as an honorary member by the vote of two-thirds members at the regular meeting.
- C. Associate Members. Any person with a legitimate interest in the affairs of the chapter and who wishes to support its aims, and not being eligible for regular membership and who agrees to accept the terms and conditions set forth in the chapter and by-laws shall be eligible for associate membership in the chapter.

Section 2. Dues

- A. Amount of Dues. Payment of dues is a condition of initial and continuing membership. Dues shall be fixed by majority vote at the regular meeting in May of each year. Initial dues shall be \$5.00 per year.
- B. Payment of Dues. Payment of chapter dues shall be paid to the chapter. All dues shall be due and payable on a calendar year basis. January 1- December 31 of each year. Dues are payable by January 1 and no later than March 1. After March 1, member will be considered delinquent.

ARTICLE III ELECTION OF OFFICERS

Section 1. Officers: Members eligible to vote shall elect a Chapter President, Vice President, Secretary, and Treasurer during the annual meeting to be held prior to the end of the month of June each year. The results of said election shall be transmitted forthwith to the National Secretary. All other officers shall be appointed, as needed, to wit Second Vice President, Assistant Secretary, Assistant Treasurer, Chaplain, Judge Advocate and Historian. No person may hold two elective offices except for Secretary and Treasurer, which offices may be held by one person.

Section 2. Term of Office. All elected chapter officials shall have a term of office of one year and each shall take office on the day of election.

Section 3. Removal.

- A. Any officer of the Chapter may be expelled for cause by a two-thirds vote of the chapter members present at such meeting after charges are preferred under oath in writing and a hearing held after due notice before the chapter membership.
- B. Any officer not in attendance for three (3) consecutive meetings without just cause shall be deemed to have resigned said office.

Section 4. Vacancies. Any vacancy in any elected office for any reason whatsoever may be filled by the chapter members at the next chapter meeting.

Section 5. Powers and Duties. The several chapter officers shall have such powers and shall perform such duties as may from time to time be specified in resolutions or other directives of the Korean War Veterans Association Executive Council. In the absence of such specification, each officer shall have the powers and authority and shall perform and discharge the duties of the officer of the same title serving in nonprofit corporations having the same or similar purposes and objectives as this chapter.

The duties of the elected and appointed officers shall be as follows (the use of the masculine gender in the following paragraphs shall be taken to mean either masculine or feminine gender):

- A. President. The President shall perform the functions conferred upon him by these by-laws and shall generally be responsible for the execution of the policies and programs decided upon by the Executive Committee. He may appoint standing committees and ad hoc committees composed of members at large to assist him in the execution of his duties. He shall have the power to call meetings of members of the chapter and shall preside at such meetings. He shall recommend to the Executive Committee any action he considers necessary and proper for the welfare of the chapter. All documents which shall be legally binding on the chapter shall be signed by the President, except in the case of disbursements by check or draft from the funds in the chapter accounts, or to an account managed by it; such checks or drafts will be signed and endorsements made by the Treasurer and one other officer.

- A1. Executive Committee. The Chapter Executive Committee shall consist of 11 members, President, Vice President, Secretary, Treasurer, Immediate Past President, and six members elected by the membership. If a member qualifies for two positions an additional member will be elected. The duly elected Executive Committee as outlined above will have a term of office for one year ending at the next election. The President shall be the chairman. The committee shall formulate policies and supervise the execution thereof. It shall have at least one stated meeting per month preceding the regular chapter business meeting. It shall meet at the call of the President and at other times he deems necessary. It shall establish rules for itself and the chapter committees. No person shall receive any salary for services as a member of the executive committee. The executive committee shall have control and management of the affairs, property, and funds of the chapter and shall decide the policies of the chapter. The term of office of the members of the executive committee shall be concurrent with the terms of the office, which qualified them for membership on the committee.

- B. Vice President. The Vice President shall assist the President in the performance of his duties. The Vice President in the absence of the President shall serve as, and have the powers of, the President.
- B1. Second Vice President. Assist the President and Vice President, in absence of both President and Vice President. The Second Vice President shall serve, and have powers of, the President.
- C. Secretary. The Secretary is responsible for the management of the day-to-day business of the chapter and shall perform all administrative duties required of him by the President. He shall be responsible for recording the minutes of meetings of the chapter and shall keep records of the chapter. He shall maintain communications with the membership offering assistance as required. Thirty days prior to annual elections, he shall submit to each officer and member of the chapter a notice of the meeting and election meeting and an agenda for the chapter meeting.
- C1. Assistant Secretary. Assist the Secretary in his duties.
- D. Treasurer. The Treasurer shall be responsible for collecting dues and other moneys in behalf of the chapter and for making timely and proper disbursements from the funds in his charge. He shall maintain custodianship of certain funds and shall prepare financial statements for publication at chapter meetings. The Treasurer should be bonded. All disbursements shall be signed by the Treasurer and one other officer (preferably the President).
- D1. Assistant Treasurer. Assist the Treasurer in his duties.
- E. Chaplain. The Chaplain shall be appointed by the President and charged with the spiritual welfare of the membership and will offer divine but nonsectarian services in the event of dedications, funerals, public functions, etc., and shall adhere to such ceremonial rituals as are recommended by the Korean War Veterans Association from time to time.
- F. Judge Advocate. The Judge Advocate shall be appointed by the President and will be the legal advisor to the chapter.

- G. Committees. The President can appoint and dissolve standing and special committees with approval of two-thirds vote of the chapter members present at such meeting. The duties and responsibilities of each committee are to be defined upon appointment.

- H. Historian. The Historian shall prepare an annual history of the chapter and be responsible for obtaining news releases and other material pertinent to the maintenance of a chapter historical record. He shall perform other duties as requested by the President.

ARTICLE IV MEETINGS

Section 1. The regular meeting of the chapter shall be held on the second Wednesday of each month and every month during the calendar year, time to be determined by the President and published in the chapter newsletter, at AMVETS Post #2, 702 E. South Street, Frederick, MD 21701.

Section 2. The President or Vice President shall have the power to call a special meeting of the chapter upon ten (10) days written notice.

Section 3. Upon a ten (10) day written request of ten (10) members of the chapter the President shall call a special meeting of the chapter.

Section 4. Ten (10) members shall constitute a quorum at any meeting of the chapter.

ARTICLE V AMENDMENTS

Section 1. These by-laws are adopted subject to the provisions of the Korean War Veterans Association. Any amendment to the said Korean War Veterans Association by-laws, which is in conflict with any of the provisions hereof, shall be regarded as automatically repealing or modifying the provisions of these by-laws to the extent of the conflict.

Section 2. These by-laws may be amended at any regular chapter meeting by a vote of two-thirds of the members present at such meeting of the said chapter attending

such regular meeting provided that a quorum is present and that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of the chapter, and provided, further, that written notice shall have been given to all members at least thirty (30) days in advance of the date when such amendment is to be voted upon, notifying said members that at such meeting a proposal to amend the by-laws is to be voted upon.

ARTICLE VI DISSOLUTION

Chapter may be dissolved in accordance with the laws of the United States and the state of incorporation. All property of the chapter will be disbursed in accordance with the United States Internal Revenue Code and the laws of the state of incorporation.

END OF BY-LAWS