

DEPARTMENT OF ARIZONA  
MILITARY ORDER OF THE PURPLE HEART OF  
THE UNITED STATES OF AMERICA

May 6, 2017



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## PREAMBLE

(Reference: National 2015-16 Constitution, Bylaws & Ritual, Preamble)

This organization is a department organization of the Military Order of the Purple Heart of the United States of America, INCORPORATED (hereinafter variously referred to as: Military Order of the Purple Heart, Inc.; Corporation; or M.O.P.H. of the U.S .A. Inc.)

Through this organization and our membership in it, our objective to preserve and perpetuate those ideals of liberty, justice, and the general welfare which are the very foundation of our way of life. We further pledge to foster and enhance those principles, which, from the beginning of our national history, have served as a beacon of hope and salvation to the peoples of all nations. (Reference: National Constitution, Bylaws, & Ritual, Preamble)

## PART I: CONSTITUTION

Article I	Name
Article II	Principles
Article III	Objects
Article IV	Non-inurement Provisions
Article V	Organization
Article VI	Membership
Article VII	Principle Office - Scope of Activities
Article VIII	Amendments
Article IX	Ratification

### ARTICLE I: NAME

(Reference: National Constitution, Article IV)

This organization shall be known as the Department of Arizona, Military Order of the Purple Heart of the United States of America (hereinafter variously referred to as: Department of Arizona, Military Order of the Purple Heart of the U.S.A., Department, or MOPHAZ).

## ARTICLE II: PRINCIPLES

(Reference: National Constitution, Article II)

The principles underlying the Corporation are patriotic allegiance to the United States of America, fidelity to its constitution and laws, the security of civil liberty and the permanence of free institutions.

## ARTICLE III: OBJECTS

(Reference: National Constitution, Article III)

The objects of the Corporation and therefore the objects of the Department are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice, which have created the United States of America. These objects may be carried out in various ways, including:

- a. Commemorating all national patriotic holidays.
- b. Maintaining true allegiance to the Government of the United States of America and fidelity to its constitution and laws.
- c. Preserving and strengthening comradeship and patriotism amongst its members.
- d. Assisting, comforting, and aiding all needy and distressed members and their dependents.
- e. Giving needed hospital and service work through its Department of Veterans Affairs certified Service Officers.
- f. Cooperating with other civic and patriotic organizations having worthy objectives.
- g. Keeping alive the achievements and memory of our country's founders.
- h. Ever cherishing the memory of General George Washington, who founded the Purple Heart at his headquarters at Newburgh-on-the-Hudson, on August 7, 1782.
- i. Influencing and teaching our citizenry, in a loyal appreciation of the heritage of American citizenship, with its responsibilities and privileges.
- j. Preserving and defending the United States of America from all enemies whomsoever.

## ARTICLE IV: INUREMENT PROVISIONS

(Reference: Public Law 85-761, Section 9)

No part of the income of the Department shall inure to the benefit of any member, trustee, director, officer of the organization, or any private individual except that reasonable compensation may be paid for services rendered to, or for, the organization affecting one or more of its purposes, and no member, trustee, officer of the Department of Arizona, or any private individual shall be entitled to share in the distribution of the Department. If dissolved all funds withstanding are to be turned over to the National Organization.

## ARTICLE V: ORGANIZATION

(Reference: National Constitution, Article IV)

The Department of Arizona Military Order of the Purple Heart of the U.S.A., Inc. is a constituent part and subordinate to the National Organization of the Military Order of the Purple Heart of the U.S.A., Incorporated, and shall consist of:

- a. Subordinate organizations to be known as (Name, Chapter Number), Department of Arizona of the Military Order of the Purple Heart of the U.S.A., Inc.; provided, however, that no chapter hereafter organized shall adopt the name already adopted by any Chapter in good standing, nor the name of any living person.
- b. Auxiliary bodies, which may be formed, subject to the Bylaws, which may hereinafter adopted.

## ARTICLE VI: MEMBERSHIP

(Reference: National Constitution, Article V)

### Section 1

All persons of good moral character who are, have been, or may become members of the Armed Forces of the United States or any foreign country of whatever rank, who have received or who may hereafter receive the Purple Heart for wounds received during military or naval combat against an armed enemy of the United States, shall be eligible for active membership in the Department of Arizona Military Order of the Purple Heart of the U.S.A.

### Section 2

Each member of the Department of Arizona, other than associate members, shall have the right to vote on each matter submitted to a vote at all meetings of the Department of Arizona. Members must comply with the Bylaws, Article I: Organization, Section 6: Meetings, d.: Rules of the Department Convention.

### Section 3

Each Chapter of the Department of Arizona Military Order of the Purple Heart of the U.S.A., Inc. shall be the judge of the admission of its own membership, subject to the restrictions of the Constitution and Bylaws.

## ARTICLE VII: PRINCIPAL OFFICE - SCOPE OF ACTIVITIES

### Section 1

The office of the Department of Arizona shall be located in the city where the Department Adjutant resides or in any such other place as may be later determined by the Department Executive Committee (DEC) and/or the Department Convention.

### Section 2

The activities of the Department of Arizona shall be confined to the territorial limits of the State of Arizona.

## ARTICLE VIII: AMENDMENTS

### Section 1

This constitution may be amended at a Department Convention by a roll call of two-thirds vote of the regularly elected and qualified delegates thereat, provided the proposed amendment shall have been submitted to the Department Adjutant at least 30 days prior to the date of the convention and provided that the adjutant distributes such proposed amendment to the members of the DEC by mail at least 20 days prior to the convention date.

### Section 2

This constitution may also be amended by unanimous vote of the regularly elected and qualified delegates at any Department Convention scheduled for more than one calendar day, provided the proposed amendment shall have been read to the Department Convention at scheduled for more than one calendar day one (1) calendar day before it is voted upon.

## ARTICLE IX: RATIFICATION

This Constitution was amended and accepted by a majority of the members present at the Department of Arizona Convention held on Saturday, May 6, 2017 at Ventana Lakes Yacht Club as recorded in the minutes of the convention.



## PART II: Bylaws

### ARTICLE I: ORGANIZATION

Section 1	Formation
Section 2	Governing Body
Section 3	Officers
Section 4	Convention Composition
Section 5	Department Executive Committee (DEC)
Section 6	Meetings
Section 7	Functional Committees

#### Section 1 - Formation (Reference: National Bylaws, Article I, Section 2)

This Department shall continue to operate as a Department as long as there are three or more active Chapters, with a minimum combined membership of 100 members in good standing, in the state of Arizona. This Department shall consist of all Chapters in the State of Arizona, who are duly organized and chartered by the national organization and all duly organized Auxiliaries.

#### Section 2 - Governing Body (Reference: National Bylaws, Article VII, Section 1)

This Department shall be governed by a Department Convention, subordinate to the National Convention.

In the interval between Department Conventions, the Department Executive Committee (DEC) shall be vested with full administrative powers of the Department, delegated to it by the Department Convention and/or the Department Constitution and Bylaws. All actions of the DEC shall be subject to approval by the Department Convention.

#### Section 3 - Officers (Reference: National Bylaws, Article VII)

##### a. Elected Officers (Reference: National Bylaws, Article VII, Section 6.A.)

The elective officers shall be a Commander, Senior Vice-Commander, Junior Vice-Commander, Finance Officer, Judge Advocate, Inspector, and Sergeant-at-Arms.

##### b. Appointed Officers (Reference: National Bylaws, Article VII, Section 6.B.)

The Commander shall appoint an Adjutant and may appoint a Service Officer, Legislative Officer, Welfare Officer, Historian, Chaplain, Americanism Officer, Purple Heart Trail Coordinator, Chief of Staff, and such other officers as may be fixed

by the Department Convention and incorporated in the Bylaws of the Department.

c. Eligibility (Reference: National Bylaws, Article VII, Section 4)

All active members and associate members, except as hereinafter provided, who are in good standing, shall be eligible to hold any office in the Department providing that:

- 1) No Patriot may hold an elective office at the Department level and at the National level at the same time.
- 2) No Patriot may hold more than one (1) elective office at Chapter level or at Department level.
- 3) A Patriot may hold an elective position and appointed positions at Department or Chapter level or may hold an elective position at the Department and Chapter level.
- 4) A Patriot must be present or have submitted a letter or email to the Department Adjutant at least seven (7) days in advance stating his intention to run for Department elective office.
- 5) Associate members may not hold elective office but may hold any appointed office except Adjutant and may serve on any Chapter or Department committee.

d. Term of Office (Reference: National Bylaws, Article VII, Section 7.)

- 1) Elections will be held at the annual Department Convention. Appointments, to the maximum extent possible, should be announced following the election and before the installation.
- 2) The officers, after being duly installed, shall enter upon their respective duties immediately after adjournment of the meeting or convention at which they were elected or appointed, and hold office until successors are duly installed.
- 3) Both elected and appointed officers may succeed themselves, if properly elected or appointed.
- 4) The Department Commander shall, if desirous of serving an additional term, make known his availability and reason thereof, by March 15th of that current year, by writing to all members of the DEC for further dissemination to all Patriots at the next Chapter meeting.

e. Vacancies (Reference: National Bylaws, Article VII, Section 8)

All vacancies in elective Department offices between Department Conventions shall be filled by the Department Executive Committee (DEC), provided, however, in the event of a vacancy in the office of the Commander, the Senior Vice-Commander shall at once succeed to the title and the duties of said office, and the Junior Vice-Commander shall succeed to the title and duties of the Senior Vice-Commander. The DEC shall be convened by the Commander to elect a Junior Vice-Commander. The Commander may solicit votes from DEC members by mail, phone, email, FAX or any other means deemed appropriate.

f. Inactive Officers / Removal (Reference: National Bylaws, Article IV, Section 6 and Article VII, Section 9)

Any Department officer who misses three (3) consecutive meetings of the constituent body of which he is an officer may have his office declared vacant by Order of the DEC unless a legitimate excuse can be made for each absence. When so removed, he shall have the right to appeal to the National Executive Committee within 60 days of the date of the order declaring his office vacant.

g. Chapter Officers (Reference: National Bylaws, Article IV and Article V)

Each Chapter within this Department shall elect and appoint such officers as stated in the National Bylaws. Elections will be held not later than the month of April and installation of officers shall be no later than May 31st. An Election Report must be forwarded to National and Department Adjutants immediately after the election. Chapters who do not submit Election Reports may not vote at Department Conventions and will not receive rebates.

h. Elections (Reference: National Bylaws, Article VII, Section 6.A.)

- 1) The election of Department Officers shall be by roll call vote. On roll call, the chairman or acting chairman of a delegation shall poll his delegates on the floor and on call shall announce the vote of delegation.
- 2) Nomination for Department Officers may be made from the floor or the Nominating Committee. Nominating speeches are limited to one for each candidate. Seconding speeches are not permitted.
- 3) If there is no election on the first ballot, the name of the person receiving the lowest number of votes may be dropped, and so on in successive ballots until an election is made.
- 4) The vote of Chapter Commanders or Vice Commanders shall be recorded as the Chapter Charter vote. Chapters with fewer than the minimum requirements of 12 active members in good standing or who have not submitted election reports shall not be entitled to any votes.

Section 4 - Convention Composition (Reference: National Bylaws, Article VII, Section 3)

The Department Convention shall consist of:

- a. Patriots who have served as National Commanders and are residents of the State of Arizona and are good standing.
- b. Patriots who have served as Past Department Commanders of the Department and are residents of the State of Arizona and who are in good standing.
- c. The Department Commander and all other elective officers of the Department are members of the Convention, with a voice, and a vote,

- d. All appointed Department officers are members of the Convention, with a voice, but no vote.
- e. All Chapter Commanders throughout the Department of Arizona. In the absence of the Commander, the Senior Vice-Commander, Junior Vice-Commander, the Department Executive Committeeman or Alternate may represent the Chapter.
- f. Chapter Delegates (Reference: National Bylaws, Article VI, Section 1)
  - 1) At a Chapter meeting at least 30 days prior to the Department Convention each year, delegates and alternates to the Department Convention shall be elected on the basis of one delegate and one alternate delegate for the Chapter's Charter.
  - 2) Other delegates and alternates may be elected at a rate of one delegate and one alternate for each 12 active members, or major fraction thereof, in good standing in the Chapter at the time of election.
  - 3) The number of active Chapter members shall be based upon the last official listing of active Chapter members published and distributed by the National Adjutant.

**Section 5 - Department Executive Committee (DEC) (Reference: National Bylaws, Article VII, Section 10)**

- a. Composition
  - 1) All Past National Commanders (PNC) who are residents of the Department and who are in good standing.
  - 2) All Past Department Commanders (PDC) of the Department of Arizona who are residents of the Department, and who are in good standing.
  - 3) All elected officers of the Department.
  - 4) All appointed officers of the Department, with a voice but no vote.
  - 5) All Chapter Commanders. In the absence of the Commander, the Senior Vice-Commander, Junior Vice-Commander, Department Executive Committeeman or Alternate, or appropriately authorized Chapter delegate may represent the Chapters.
- b. Duties and Functions
  - 1) The DEC shall meet immediately preceding the Department Convention, and the new DEC shall meet within 24 hours following adjournment of the Department Convention, in the convention city. It shall also meet at least once during the interval between Department Conventions, or at the call of the Department Commander, or at the written request of a majority of the DEC.

- 2) The DEC shall authorize all expenditures, audit the accounts of the Finance Officer and Adjutant, and be responsible for verifying the authorization of income producing ventures.
  - 3) Contracts and ventures extending beyond the limitations of Department Conventions can only be approved by the Department Convention by two-thirds vote, unless the Department Convention previously approves and mandates to the DEC authority for specific action beyond these limits.
  - 4) The DEC may be polled by the Department Adjutant through a mail or email vote on any manner, which, in the opinion of the Department Commander, requires emergency action.
- c. Executive Committeemen (Reference: National Bylaws, Article VII, Section 5.B.)
- 1) The Chapter Commander shall serve as the Chapter member to the DEC), and the Chapter Senior Vice-Commander shall serve as the alternate member to the DEC.
  - 2) In the event the Chapter Commander or Senior-Vice Commander cannot serve as a member of the DEC, a Department Executive Committeeman and an Alternate Department Executive Committeeman, may be appointed to represent the Chapter as long as the membership strength, in good standing is in excess of 12 at the time of the annual Department Convention.

## Section 6 - Meetings (Reference: National Bylaws, Article VII, Section 2)

- a. All Chapter, Department, and Committee meetings of the MOPH AZ, shall be conducted in accordance with Roberts Rules of Order, Newly Revised, except as otherwise provided in these Articles. Further, all meetings, observances, and official activities shall be conducted in accordance with the official Ritual and Manual of Ceremonies of the Order.
- b. There shall be an annual Convention of this Department between May 1st and June 30th of each year, and such other meetings as the Department will need.
- c. Regular meetings of Chapters shall be held monthly, if possible.
- d. Quorum Requirements
  - 1) Associate members are not included for quorum purposes.
  - 2) Chapter Meetings: Five (5) active members in good standing, qualified to transact business, shall constitute a quorum at any meeting of the chapter. (Reference: National Bylaws, Article III, Section 3)

- 3) DEC Meetings: One-third of the eligible membership (Article 1, Section 14) shall constitute a quorum at any meeting of the DEC. (Reference: National Bylaws, Article VII, Section 12.B.)
- 4) Department Convention: There shall be at least three (3) of the Department elected officers AND at least fifty percent (50%) of the Chapters represented conduct the business of the Department Convention. Chapters representation must be one of the following, listed in order of preference:
  - i. Commander
  - ii. Senior Vice Commander
  - iii. Junior Vice Commander
  - iv. Department Executive Committeeman
  - v. Alternate Department Executive Committeeman
  - vi. Delegate (Chapter Commander's written authorization to represent the Chapter must be provided to the Department Adjutant via mail or email.)
- e. The DEC shall meet immediately before and after the Department Convention and at least one time between September 15th and December 15th.
- f. Rules of the Department Convention
  - 1) Only Members of the Department Convention (Article I: Organization, Section 4: Convention Composition) or Chapter alternate delegates taking the place of absent duly elected chapter delegates shall participate directly or indirectly in discussions or voice vote (hand or standing vote permitted) on any subject before the Convention. The Department Commander may grant the floor to any visitor, with the consent of a majority of the convention, except that this privilege shall not be extended for the purpose of the business or point in order. (Reference: National Bylaws, Article VII, Section 3)
  - 2) When a member desires to make a motion or address the Convention he shall rise, address the Chair as "Patriot Commander," state his name, Chapter Name and Number or location, and office before proceeding.
  - 3) At the discretion of the Presiding Officer, discussion shall be limited to three minutes to each speaker. A Patriot may be permitted to speak but once only any subject, except by the consent of the Department Commander. Convention Committee Chairmen, Department Officers, and Chapter Commanders may speak as frequently as may be necessary in connection with the report of their committee or office.
- g. Voting at Department Convention (Reference: National Bylaws, Article VII, Section 12)

- 1) Voting shall be by acclamation except when electing Department Officers or when a roll call vote is called for and approved by the Convention.
- 2) Voting by proxy is not allowed.
- 3) Elected Department Officers shall be entitled to one (1) vote.
- 4) Appointed Department Officers shall be without a vote.
- 5) Chapter Votes:
  - i. Chapters that have not submitted the current Election Report and Chapters with fewer than 12 members in good standing will not be allowed to vote.
  - ii. The vote of the Chapter Commander or the Vice-Commander shall be recorded as the Chapter charter vote.
  - iii. At Department Convention, the vote of any Chapter Delegate absent and not represented by an alternate may be cast automatically by the Chapter Commander, Senior Vice-Commander, or Junior Vice-Commander, or the Department Executive Committee member or his alternate present.
- h. Voting at DEC Meetings (Reference: National Bylaws, Article VII, Section 12)
  - 1) Each member of the DEC, as outlined in Article I: Organization, Section 5: Department Executive Committee (DEC) and present at a meeting of the DEC shall have one (1) vote, except all appointed officers shall be without a vote.
  - 2) Voting by proxy is not allowed.
  - 3) No one shall have more than one (1) vote.

## Section 7 - Functional Committees

- a. General Committees. The Department Commander may appoint such standing, ad-hoc and/or special committees, as deemed appropriate to accomplish the business of the Department.
- b. Nominating Committee. A three (3) member nominating committee may be appointed at the DEC meeting between Department Conventions for the purpose of recommending a slate of nominees for all elected Department offices. The Nominating Committee shall elect its own chairman. The existence of a nominating committee shall not preclude nominations from the floor of the convention at the time of the election.
- c. Finance Committee
  - 1) Composition

- i. The Department Finance Committee shall consist of six (6) members as follows: Department Commander, Finance Officer, Adjutant, and three (3) elected voting members.
- ii. The Commander, the Finance Officer and the Adjutant have a voice but no vote.
- iii. The Chairman of the committee will be one of the three (3) elected member. In the event the Commander or Finance Officer is not available, the Chairman is an authorized co-signer for all approved checks.

## 2) Duties and Responsibilities

- i. Defines for the Finance Officer the accounting system to be used by the Department and the form of monthly and special reports covering all funds, offices, officer expenditures, and similar items.
  - ii. Prepares the annual budget prior to the DEC meeting immediately preceding the Annual Convention and presents to the DEC (old) for review and approval before being submitted to the Convention for final approval. If adjustments are made between conventions, the DEC must approve the changes and submit to the next Convention for ratification.
  - iii. Authorizes expenditures not to exceed by more than 10 percent (10%) of each budgeted line item without prior approval of the DEC. Under no circumstances may the total expenditures be exceeded by more than 10 percent (10%) of the total expenditure figure approved by the previous Convention. All deviations within these limits must be submitted to the DEC for approval at the meeting which precedes the Convention.
  - iv. Conducts the annual audit of the books of the Finance Officer and the Service Officer.
  - v. Responsible for the annual audit of the books of the Finance Officer.
  - vi. Ensures that all funds derived from VIOLA sales (except for the cost of the VIOLAS or other expenses directly related to the Viola sales) are used for welfare work.
- d. Grievance Committee. A grievance committee may be appointed by the Department Commander to act as a hearing board for grievances that arise within the Department. This Committee will be made up of at least three (3) Past Department Commanders. Only if this committee cannot resolve the problem will it then be submitted to the National Grievance Committee.



**ARTICLE II: DUTIES OF THE OFFICERS**  
(Reference: National Bylaws, Article IV and Article VIII)

Section 1	General
Section 2	Commander
Section 3	Senior Vice-Commander
Section 4	Junior Vice-Commander
Section 5	Adjutant
Section 6	Finance Officer
Section 7	Judge Advocate
Section 8	Inspector
Section 9	Sergeant-at-Arms
Section 10	Service Officer
Section 11	Legislative Officer
Section 12	Welfare Officer
Section 13	Historian
Section 14	Chaplain
Section 15	Americanism Officer
Section 16	Surgeon
Section 17	Purple Heart Trail Coordinator
Section 18	Chief of Staff
Section 19	National Executive Committeemen

**Section 1 - General**

The duties and responsibilities of the elected and appointed officers are the same at Department and Chapter except the level at which the Executive Committeemen serve and function. Refer to the National Bylaws in the event of conflict.

**Section 2 - Commander**

- a. Presides at all meetings of the Department (including the Department Executive Committee DEC)), enforce a strict observance of its rules and usages, and see that at all orders from National Headquarters are properly published and complied with.

- b. Approves all warrants before they may be paid by the Finance Officer, is a co-signer on all checks, and performs such other duties as his office may require of him.
- c. Immediately after entering his office, appoints an Adjutant, Legislative Officer, Service Officer, Welfare Officer, Americanism Officer, Historian, Chaplain, Surgeon, and all other Department officers and committees not otherwise provided for, and may remove these officers and committees at his pleasure.
- d. Has authority to appoint a Chief of Staff to cooperate with and supplement, the membership activity and the organization of new Chapters under the supervision of the Vice-Commanders. He shall also have the authority to appoint Deputy Chiefs of Staff whose authority will be limited to the promotion of new Chapters.
- e. Serves as the Department's member to the National Executive Committee (NEC).
- f. May appoint a National Executive Committeeman and an Alternate National Executive Committeeman to represent the Department at the NEC in the event he or the Senior-Vice Commander cannot serve as a member of the NEC.

### Section 3 - Senior Vice-Commander

- a. Assists the Commander in preserving order and to preside in the absence or at the request of the Commander, and performs such other duties as the Bylaws and Ritual may require.
- b. Cooperates with the Commander in aggressive membership activity, organization of new Chapters, revival of inactive chapters, and similar activities as the Commander shall direct.
- c. Serves as the Department's alternate member to the NEC.

### Section 4 - Junior Vice-Commander

- a. Assists in membership activities and performs such other duties as may be required of him by the Bylaws and Ritual, and shall preside in the absence or at the request of the Commander or Senior Vice-Commander.
- b. Coordinates the Department's membership activities with the Chief of Staff and Deputy Chiefs of Staff.

### Section 5 - Adjutant

- a. Keeps correct records of the proceedings of the Department Convention and of the DEC; conducts the correspondence and issues all orders under the direction of the Commander; draws all warrants on the Finance Officer;

- makes all returns required of him by the National Organization; keeps an order book, letter file, and endorsement and memorandum book; maintains files of all orders, reports, and correspondence received and remaining in his office; and set up such other files and books as may be required of him by the Department Commander.
- b. Prepares before each Department Convention a list showing the Chapters in good standing and the number of delegates to which each Chapter is entitled.
  - c. Keeps a correct record account of monies due and receivable from all sources, and of the vouchers and warrants drawn on the Finance Officer. He shall take a receipt from the Finance Officer for all monies turned over to him from whatever source.
  - d. Serves as a non-voting member of the Finance Committee.

### Section 6 - Finance Officer

- a. Holds and is responsible for all funds, securities, vouchers, and property of the Department; pays all warrants drawn by the Adjutant and approved by the Commander, and makes an annual report of the finances to the Department, and co-signs checks signed by the Commander.
- b. Allows his books at all times, together with those of the Adjutant, after reasonable notice has been given, to be open to inspection by the DEC or a Certified Public Accountant should one be employed by the Department.
- c. Prepares a statement of receipts and disbursements in detail as of November 30 and May 31 of each year. The original shall be sent to the Department Commander, and copies shall be sent to each Chapter in the Department and to the National Adjutant no later than 30 days after closing dates.
- d. Serves as a non-voting member of the Finance Committee.

### Section 7 - Judge Advocate

- a. The Judge Advocate shall preferably be a licensed attorney.
- b. Gives the Commander such legal and parliamentary assistance as the Commander may require, and performs any other duties incident to the office.

### Section 8 - Inspector

- a. Has charge of the work of inspection within the Department, the DEC, and of the subordinate Chapters and other organizations in this Department.

- b. Makes an inspection of the books of each Chapter and other organizations in the Department at least once during the term of office and makes such reports as may be required by his Department Commander.
- c. Prepare an annual inspection report to be forwarded to the National Inspector no later than July 1st of each year.

### Section 9 - Sergeant-At-Arms

- a. The Sergeant-at-Arms shall take his post at the inside the door of the meeting room at meetings of the Department Convention and DEC, and shall admit only those who are entitled to attend.
- b. Performs such other duties incident to his office, or as the Department Commander or Convention or DEC may direct.
- c. Is responsible for the Department Charter and Colors.

### Section 10 - Service Officer

- a. Performs the duties incident to his office. He shall advise and assist veterans and their dependents in the technical preparation and prosecution of their claims for benefits from any governmental agency and in the securing of suitable employment.
- b. Maintains good public relationships with other organizations in similar fields of endeavor and with governmental agencies for the benefit of the veteran and his dependents. His certification to the DVA shall be made through the office of the National Service Director.
- c. Assists and cooperates with the Chapter Service Officers in the Department. He shall make periodic reports of his activities to the Department Commander and shall provide the National Service Director with reports if requested.

### Section 11 - Legislative Officer

- a. Gathers such pertinent matters of interest to the members in the state, as submitted by various Chapters of the Department.
- b. Submits to the National Legislative Director such resolutions or material as may be of interest or importance nationally.
- c. Prepares all suggested bills or amendments or other legislative matters for the use of his state legislature, under the direction and approval of the DEC. Copies of all such legislative bills shall be sent to the National Legislative Director, who shall inspect and recommend for approval or disapproval all proposed veterans legislation to be sponsored by the Military Order of the

Purple Heart of the U.S.A. in any state so that no legislation of conflicting purposes will be introduced in different states.

## Section 12 - Welfare Officer

- a. Keeps informed as to the public and private agencies and organizations, which can offer temporary or permanent assistance to needy members other veterans, and the families of members, and help such persons in securing proper and adequate assistance.
- b. Cooperates with the Chapter Welfare Officers in his Department in the development of a suitable program to comfort, entertain, and help hospitalized veterans and their families.
- c. Cooperates with, or may serve as, the Veterans Administration Voluntary Service (VAVS) Representative or Deputy who shall be certified by the Department of Veterans Affairs.
- d. Assists the Chapters and this Department wherever possible in the sale of Violas a source of welfare funds.
- e. Makes periodic reports of his activities to the Department Commander and shall provide the National Welfare Officer with an annual report not later than July 1 of each year.

## Section 13 - Historian

- a. Compiles, in triplicate, a brief history of the activities of the Department during his term of office. The original will be presented to the Department Commander of the year, which is involved, with one copy sent to the National Historian and one copy kept in the Department files as a permanent record of the Department.
- b. Performs such other duties as his office may require or the Commander may direct.

## Section 14 - Chaplain

- a. The Chaplain shall, when possible, be a member of the clergy.
- b. Is responsible for the opening and closing prayers of the Department meetings, assists in or takes charge of certain burial ceremonies for departed Patriots, participates in patriotic ceremonies and performs such other duties requested by the Commander.

## Section 15 - Americanism Officer

- a. Coordinates the activities of the Chapter Americanism Officers in the promotion of a program of "Positive Americanism" within the Department. Assists in the commemoration of all national patriotic holidays by preserving and strengthening comradeship and patriotism among the Order's members.
- b. Encourages the display of the American Flag on all appropriate holidays and shall perform such other duties that his office may require or the Commander may direct.
- c. Provides the National Americanism Officer with an annual report no later than July 1st of each year.
- d. Coordinates the Department's Leadership Awards program in conjunction with the Chapter Americanism Officers.

## Section 16 - Surgeon

- a. Makes periodic reports to the Chapters and Department regarding the Department of Veterans Affairs, other health agencies, and other health and rehabilitation matters.
- b. Performs such other task the Commander may direct.

## Section 17 - Purple Heart Trail Coordinator

- a. Works with the Department Americanism Officer, Department Adjutant, and Chapter Americanism Officers to accomplish Department and Chapter Purple Heart Trail goals.
- b. Reports Purple Heart Trail activities to the Department Americanism Officer for inclusion in the annual Americanism Report as outlined in the National Procedures Manual.
- c. Performs such other task the Commander may direct.

## Section 18 - Chief of Staff

The Chief of Staff shall assist in membership activities and new Chapter organizations in cooperation with the Vice Commanders. He shall perform such other duties as may be required by the Commander and may nominate for appointment Deputy Chiefs of Staff to assist him throughout the state.

## Section 19 - National Executive Committeemen

In the event the Department Commander or Senior-Vice Commander cannot serve on

the NEC, National Executive Committeemen represent the Department on the NEC, as provided in Article 1, Section 9b of these Bylaws, and shall make periodic reports to the Department Commander concerning the National Organization. They shall make detailed reports of meetings attended in conjunction with the National Convention, or otherwise.

### ARTICLE III: MEMBERSHIP

Section 1	Dues
Section 2	Applications
Section 3	Members at Large
Section 4	Associate Members
Section 5	Ladies Auxiliary

#### Section 1 - Dues (Reference: National Bylaws, Article II, Section 9 and Article XIII)

- a. Life Membership Dues are set by the National Convention.
- b. There are no Department dues.

#### Section 2 - Applications (Reference: National Bylaws, Article II, Section 1)

- a. Every application for admission to active membership must be in writing and shall be completed in full upon forms provided by the National Adjutant.
- b. Where an application for active membership is made to the National Adjutant, the processed application for said active membership may be referred to the Department in which the applicant resides, or made directly to a Chapter within the state in which the applicant resides.
- c. Chapters retain the final decision to accept such applications as per Section 5-9, Article II, National bylaws.
- d. The names of candidates to be sent to National or which have been received from National, should be reported at a Chapter meeting to give each patriot an opportunity to state objections. A majority of the active members present and voting shall determine the candidates' acceptance.
- e. If an applicant, who has not been processed, is rejected, his monies will be returned and he shall not again be proposed for membership until one year after his rejection unless a motion to reconsider the application is passed by a vote of two-thirds majority at a regular meeting of the Chapter.
- f. The Adjutant shall notify each new member when he should present himself for obligation.

### Section 3 - Members-At-Large (Reference: National Bylaws, Article II, Section 3)

- a. This Department will accept qualified members-at-large (DML). Every effort, however, should be made to encourage members-at-large to join Chapters and/or to become part of new Chapters being formed from members-at-large who reside in a common geographic area.
- b. Department Members at Large (DML) must have a mailing address within the territorial limits of the State of Arizona.
- c. Members-at-large shall be without vote and may not hold Department or Chapter elective office.
- d. Members-at-large may hold Department or Chapter appointive office except Adjutant and may serve on Committees.

### Section 4 - Associate Members (Reference: National Bylaws, Article XVIII)

- a. The Military Order of the Purple Heart of the U.S.A. Inc., recognizes the eligibility of Associate Members. The National Adjutant shall be the final authority on eligibility for associate membership.
- b. Membership as an Associate Member is hereby granted pursuant and subject to the terms and conditions set forth in our Congressional Charter, Public Law 85-761 of the Congress of the United States of America, and subject to the various rules, restrictions, regulations, and limitations as forth in the Constitution and Bylaws of the parent organization. Membership as an Associate Member of the parent organization shall be granted on the basis of, and subject to, Paragraph (b) of Section 6 of the Congressional Charter, whether the Purple Heart Recipient is alive or deceased, to "parents and lineal descendants: of all persons who are eligible for membership in the parent organization, as set forth in Paragraph (b) of Section 6 hereinabove referred to.
- c. The purpose of Associate Membership is to assist in furthering and perpetuating the objects of the Military Order of the Purple Heart of the U.S.A., Inc., as set forth in Article III of the Constitution of the National Corporation, with particular reference to so much of the same as pertains to "assisting, comforting, and aiding all distressed members and their dependents."
- d. Associate members are not counted for quorum purposes.
- e. An Associate member shall be without vote and may not hold an elective office.
- f. Associate members may hold Department or Chapter appointed offices except that of Adjutant. They may serve on committees.



- g. Upon acceptance, Associate Members shall be entitled to wear appropriate emblem or insignia approved by the National Adjutant. In no event shall such emblem or insignia bear a replica or facsimile of the Purple Heart as awarded by the United States Government.

### Section 5 - Ladies Auxiliary (Reference: National Bylaws, Article XVI)

The Department shall recognize a Ladies Auxiliary Department of Arizona, subject to the Constitution and Bylaws of the National Organization. The Ladies Auxiliary's Constitution, bylaws, regulations, or policies may not be in conflict with the Constitution and Bylaws of National Corporation or those of the Department or Chapter.

## ARTICLE IV: TO PRESERVE THE INTEGRITY OF THE ORGANIZATION

Section 1	General
Section 2	Gender
Section 3	Grievance
Section 4	Lawsuits

### Section 1 - General

The Bylaws of the National Organization as amended shall govern all matters affecting the preservation of the integrity of the Organization.

### Section 2 - Gender

Whereas the gender "he" is stated in these documents, shall mean male or female.

### Section 3 - Grievance

- a. A grievance may be brought by any active member against an individual and/or organization for some action or policy, which causes suffering, distress, or disruption within the Order or Department. The grievance procedures are not available for use by non-members, associate members or members of the Ladies Auxiliary. Usual grievance case should result in arbitration and/or actions to eliminate the grievance.
- b. The grievance committee may be established at Department level to hear grievances and to make recommendations to the appropriate commander of

actions to be taken Such committees will normally meet during the period of the Department Convention, but may be called at any time should the appropriate commander deem it necessary.

- c. A grievance may not be held earlier than 20 days after a grievance is received at Department level so as to allow for notification of the person/persons against whom the grievance is made, of the details, and the scheduled hearing date.
- d. Grievance committees are appointed by the appropriate commander and will be composed of a minimum of three Past Department Commanders at Department level. The appointing Commander will take care in selecting members to serve on the grievance committees who have no personal involvement with the grievance to be heard. Members of the grievance committee shall select their chairman.
- e. There shall be a verbatim record, electronic or written, kept of the proceedings, which, along with a written summary of the findings and recommendations, will be forwarded to the appropriate commander within fifteen days from the ending date of the hearing.

## Section 4 - Lawsuits

In addition to any other grounds therefore, a member may be suspended and tried should he resort to or join in civil court action against a Chapter, Department, or the National Organization, or officers thereof, as such, before exhausting all remedies available within the organization.

## ARTICLE V: AMENDMENTS

Section 1 Amendments

Section 2 Set aside

### Section 1 - Amendments

These Bylaws may be amended:

- a. By a roll call of two-thirds vote of the members present at a regular or special meeting of the DEC, provided the proposed amendment shall have been submitted through the Department Adjutant at least 30 days prior to the date of the meeting and provided that the Department Adjutant distributes such proposed amendment to the members of the DEC, by mailing same to

them at least 20 days prior to the convening of the meeting. If adopted, the amendment shall have the force and effect until the next Department Convention, which shall accept or reject such amendment.

- b. At a Department Convention by a roll call vote of two-thirds vote of the regularly elected and qualified delegates thereat, provided the proposed amendment shall be submitted through the Department Adjutant at least 30 days prior to the date of the meeting and provided that the Department Adjutant distributes such proposed amendment to the DEC by mailing same to them at least 20 days prior to the convening of the next Department Convention, and providing that such amendment came through the DEC.
- c. By a unanimous vote of the regularly elected and qualified delegates at a Department Convention, provided the proposed amendment shall have been read to the Department Convention at least one (1) calendar day before the vote is taken.

## Section 2 - Set Aside

These Bylaws may be set aside or suspended for the period of the Department Convention only if deemed expedient by a unanimous vote of the regularly elected and qualified delegates thereat.

## ARTICLE VI: RATIFICATION

These Bylaws were amended and accepted by a majority of the members present at the Department of Arizona Convention held on Saturday, May 6, 2017 at Ventana Lakes Yacht Club as recorded in the minutes of the convention.