

# Combat Veterans Motorcycle Association Chapter 33-1 Bylaws

As Approved On February 15, 2015

## **PREAMBLE**

The Combat Veterans Motorcycle Association Chapter 33-1, Incorporated (CVMA 33-1) is formed and dedicated to support Veterans, Veterans' groups, and Military support charities and is dedicated to the motto, "Veterans Helping Veterans." As such, CVMA 33-1 is additionally dedicated to the betterment of communication and camaraderie between Motorcycle Associations, Veterans' Organizations, and other Motorcycle Groups and/or Clubs.

## **ARTICLE 1      NAME**

Section 1. The name of this organization shall be: Combat Veterans Motorcycle Association, Chapter 33-1, Incorporated.

Section 2. In accordance with (IAW) the CVMA National Bylaws, the principle office of the CVMA will be located at 1019 Highland, Liberty, MO 64068, USA.

Section 3. Within the State of California the principle office of CVMA 33-1 will be located at 2648 Peet Lane, Escondido, CA 92025, USA. The Chapter Board of Officers may change the principle office from one location to another, this change will require a change in the Bylaws.

Section 4. CVMA 33-1 may also have other offices within the State of California as the Chapter board of officers may designate to support additional detachments, offices or events. These additional addresses need not be designated in the bylaws.

Section 5. IAW the CVMA National Bylaws, CVMA 33-1 is organized exclusively for charitable, religious, educational and/or scientific purposes as specified in section 501(c)(19) of the Internal Revenue Code, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(19) of the Internal Revenue Code.

## **ARTICLE 2      OBJECTS**

Section 1. The objects and purposes of this Chapter shall be to promote the principles and policies as set forth in the foregoing Preamble and the CVMA National Bylaws.

Section 2. This Charter is not organized, nor shall it be operated, for pecuniary gain or profit, and it does not contemplate the distribution of gains, profits, or dividends to the members thereof and is organized solely for non-profit purposes. The property, assets, profits, and net income of this corporation are irrevocably dedicated to charitable purposes and no part of the profits or net income of this charter shall ever inure to the benefit of any director, officer, or member thereof or to the benefit of any private shareholder or individual.

Section 3. Upon dissolution or winding up of this Chapter, its assets remaining after payment of, or provision for payment of, all debts and liabilities of this corporation, shall be distributed to the CVMA, or to a non-profit fund, foundation or corporation, which is organized and operated exclusively for charitable veteran purposes, and which has established its tax exempt status under section 23701d of the Revenue and Taxation Code and/or Section 501 (9)(c)(3) or Section 501(c)(19) of the Internal Revenue Code.

## **ARTICLE 3      MEMBERSHIP**

Section 1. All Chapter memberships shall be IAW CVMA National Bylaws.

Section 2. Members who fail to keep National dues current will be dropped from the Chapter rolls as soon as the Chapter Secretary has determined that the member's dues are delinquent.

Section 3. IAW the National Bylaws, full members must possess a valid motorcycle driver's license as well as proof of insurance for their motorcycle.

Section 4. No person expelled from another Chapter shall be admitted to this Chapter without the explicit consent of the expelling Chapter and the CVMA National Board.

Section 5. Annual dues will be a total of thirty dollars (\$30), twenty dollars for CVMA National, ten dollars for Chapter 33-1. IAW National Bylaws, the member shall remit national dues to CVMA National by June 30. Chapter dues shall be remitted to the Chapter Treasurer by June 30 of each year.

#### **ARTICLE 4 OFFICERS**

Section 1. “The Board of Officers” of this Chapter shall consist of Commander (CO), Executive Officer (XO), Secretary, Treasurer, Public Relations Officer (PRO) and Sergeant at Arms.

Section 2. The following officers shall also be elected but not serve on “The Board Of Officers”: Quartermaster and Road Captain (RC).

Section 3. Should there be insufficient candidates for an office, any officer except the CO and the XO may be elected, in accordance with these Bylaws, to occupy more than one office.

Section 4. All members of “The Board of Officers” shall have only one vote at Chapter Board meetings.

Section 5. Nomination of officers will be held April and May of each year with elections occurring in May. Nominees may accept the nomination in person or by contacting a Chapter officer in writing. Nominees need not be present at the election meeting.

Section 6 All officers are elected for a term of one year.

Section 7. All officers of this Chapter must be a member of CVMA for 12 months and be in good standing. If there are no candidates eligible for an office, the Chapter can nominate and elect individuals in good standing with less than 12 months previous membership, any officer elected with less than 12 months membership shall be considered “pro-tem” officers until such time that they have accrued their 12 months of membership. In this case, any pro-tem officer will fulfill all duties of said office.

Section 8. Duties of the Board of Officers are as further provided in these Chapter Bylaws.

Section 9. All officer resignations should provide a minimum of one month notice prior to vacancy.

Section 10. Office vacancies shall be filled in a manner similar with Section 5. Initial nomination opportunity will occur at the earliest possible regular Chapter meeting and the final nomination opportunity and the election will follow at the next regular Chapter meeting.

Section 11. In the event that any officer is absent for more than three consecutive meetings without being excused by the CO, such office shall be declared vacant by a simple vote of the membership. The vacancy so created will be filled by election at the next regularly scheduled meeting of CVMA 33-1. Should the CO be absent for three or more consecutive meetings, the membership may move to schedule a CO impeachment vote and CO election at the next regularly scheduled meeting of CVMA 33-1. The actual ratification of CO impeachment, as defined in this section, shall require a simple majority of CVMA 33-1 members present.

## **ARTICLE 5. DUTIES OF OFFICERS**

Section 1. Duties of the Commander: It shall be the duty of the CO to preside at all meetings of the Chapter and to have the responsibility of/and over the business affairs of the Chapter, and as such, shall be the chief executive of the Chapter. The CO will serve as Chairman of the Board of Officers, act as ex-officer member of all Chapter committees, issue the call for all regular and special meetings, schedule regular and special elections and ensure that they are held in accordance with these Bylaws. The CO will be co-signator on the Chapter bank accounts. Additionally, The CO is jointly responsible for the annual submission of finance reports, see Article 9, Finance. The CO in concert with the XO and PRO will define and coordinate the Chapter's policy on website posting, email transmissions, interviews and press releases.

Section 2. Duties of the Executive Officer (XO): It shall be the duty of the XO to discharge the duties of the CO in his absence or in the case of his disability, or when called upon by the CO. The XO will serve as the coordinator and the point of contact for all standing and special committees. Additionally, the XO will chair special committees as directed by the CO.

Section 3. Duties of the Secretary: It shall be the duty of the Secretary to keep the minutes of all meetings, and at the direction of the CO, handle all correspondence for the Chapter, including the transmittal of membership applications and responses. Upon membership approval, the Secretary shall

forward the minutes from the previous CVMA 33-1 meeting, inclusive of the treasury balance information, to the CVMA SR. Additionally, the Secretary shall keep the Chapter roster current and be responsible for the accountability of ARTICLE 3, Sections 2A, 2B, 2C and 2D. Upon Bylaw amendment ratifications, the Secretary will forward a copy of the new Chapter By-laws to the CVMA National Secretary and the CVMA SR.

Section 4. Duties of the Treasurer: It shall be the duty of the Treasurer to collect dues and other forms of income due to the Chapter, he will maintain the accounting books, make payments from the Chapter when so ordered by the Chapter or so authorized by these Bylaws, sign Chapter checks, and report thereon at regular meetings. The Treasurer is authorized to disburse a maximum of fifty dollars per month without membership approval. Any disbursements or reimbursements totaling greater than fifty dollars in any month shall require a ratification vote during a Chapter meeting. The Treasurer will track the dues currency of members and report on those currencies at regular meetings. The Treasurer is authorized to file applications and submit information under his signature to establish and/or maintain the Chapter's incorporation or tax exempt status as directed by the Chapter. Additionally, The Treasurer is jointly responsible for the annual submission of finance reports, see Article 9, Finance.

Section 5. Duties of the Public Relations Officer: It shall be the duty of the PRO to handle the publicity for the Chapter, including but not limited to newspaper articles, TV and radio information and appearances. Additional responsibilities include maintaining the Chapter website and serving as the Chapter Historian by maintaining a file of Chapter photos and activities. Upon election and prior to beginning his term, the PRO shall meet and confer with the CO and XO to coordinate the Chapter's policy on website posting, email transmissions, interviews and press releases.

Section 6. Duties of the Sergeant at Arms: It shall be the duty of the Sergeant at Arms to maintain order during Chapter meetings, to verify membership via ID cards prior to meetings, to assemble and disassemble the meeting area as necessary. The Sergeant at Arms will lead the Chapter in any pledges or oaths as requested by the CO. Should the Chapter be required to present arms at any activity, the responsibility for the order will fall upon the Sergeant At Arms. The Sergeant at

Arms shall use the following terms when the Chapter renders the hand salute: “present arms” and “order arms.” The Sergeant at Arms will be responsible for the conduct of any fundraising event at monthly Chapter meetings.

Section 7. Duties of the Quartermaster: It shall be the duty of the Quartermaster to maintain the inventory of all Chapter stores, including but not limited to patches, apparel, accessories, coins and fundraising inventory. The Quartermaster shall keep an accurate record of acquisitions, received donations and current inventory. The Quartermaster or his assistant shall be prepared to provide a report of the Chapter’s stores at regular business meetings. All receipts shall be remitted to the treasurer as soon as possible. For purposes of accurate financial reporting, the Quartermaster will not use “cash on hand” for purchases, all purchases and/or reimbursement for previous purchase shall be made with a disbursement by the Treasurer.

Section 8. Duties of The Road Captain: It shall be the duty of the RC to plan, lead and provide a report of Chapter Rides. Specifically, the RC shall, in advance, coordinate with the CO and XO for all rides that are in conjunction with Chapter meetings and events. Whenever possible, the RC shall announce upcoming rides at the monthly meeting to include a plan for the next monthly meeting ride.

## **ARTICLE 6      MEETINGS**

Section 1. The regular Chapter meeting shall be held on the third Sunday of the month or as scheduled in a previous regular meeting. It shall be the CO’s responsibility to ensure the Chapter membership is notified of all meetings. The CO may delegate this notification requirement to the PRO.

Section 2. The meeting shall be held at a location determined and voted on by the Chapter membership not later than one month prior to the scheduled meeting and may be moved from time to time to support necessary functions and rides.

Section 3. A quorum for conducting business at a Chapter meeting governed by these Bylaws shall be a minimum of two elected officers from the Board Of Officers and three additional members. The hierarchy for conduct of a Chapter meeting during absences of multiple officers is, in order, CO, XO, Secretary, Treasurer, Sergeant At Arms, PRO.

Section 4. No member shall take part in any meeting or election unless he is in good standing with the Chapter.

Section 5. A member may be represented by a written proxy, no general power of proxy is allowed, any proxy presented must be specific in nature and clear in intent. If a proxy's nature or intent is challenged, it will not be used unless it affects the vote outcome, if the "challenged" proxy could or would change the outcome, then the vote shall be "tabled" until the next meeting when a specific proxy could be presented. No member may represent more than three (3) proxies. Any vote involving proxies must be conducted via roll call.

#### **ARTICLE 7 COMMITTEES AND DELEGATIONS**

Section 1. All standing committees that support functions of this Chapter shall consist of members who have been approved of by a general vote in a Chapter meeting. Standing committees are considered committees that have a recurring task or responsibility and report their activity at a regular Chapter meeting. (example: fund raising committees)

Section 2. The CO may, from time to time, appoint a special committee for a particular task. This committee need not be approved by the membership and should serve only as a short term working entity. (example: memorial preparation)

#### **ARTICLE 8 PROCEDURE**

This Chapter shall conduct all official meetings under the rules and directions of the CVMA Charter, Constitution or Bylaws, as well as the CVMA 33-1 Bylaws. The decorum and rule of order of any Chapter meeting shall be further guided and maintained by any Chapter Standing Rules, Robert's Rules of Order, and lastly, custom and tradition.

#### **ARTICLE 9 FINANCE**

Section 1. The membership shall approve the form in which financial records are kept. Any appropriations not budgeted shall be brought to the membership for approval except for an amount not to exceed fifty dollars per month that may be approved by the CO or Treasurer.

Section 2. CVMA 33-1 shall submit IRS Form 990N, and California Franchise Tax Board Form 199N not later than April 15<sup>th</sup> of each year. Additionally, the information contained in the Form 990N will be reported in the Chapter minutes and forwarded to CVMA national in compliance with National Bylaws. CVMA 33-1 shall file a Non-Profit Corporation Statement Of Information (Form Si100) not later than September 30 of each year with the California Secretary Of State, Business Programs Division. Submission of the Form 990N, 199N and Si100 shall be the joint responsibility of the CO and Treasurer, see Section 5, Duties of Officers.

Section 3. The Chapter Treasurer will assemble an ad hoc committee to conduct a count and reconciliation of all funds and associated receipts that are transacted during scheduled fundraisers. This count and reconciliation committee shall consist of the Chapter Treasurer plus a minimum of two additional Chapter members in good standing. The results of this committee and the fund raiser shall be reported at the next scheduled Chapter meeting.

Section 4. The CO shall appoint a financial audit committee consisting of one officer from the Board Of Officers and two non officer members, one of which may be an auxiliary member, to conduct a financial audit within 45 days of the April 15<sup>th</sup> tax form filings. The financial audit shall consist of a minimum of:

- Actual count of cash assets on hand
- Review of the years Financial institution statements
- Review and correlation of Chapter monthly finance reports

The results of this audit shall be reported at the next monthly Chapter meeting.

## **ARTICLE 10      LIMITATIONS OF LIABILITIES**

The Chapter shall not incur, nor cause to be incurred, any liability or obligation whatsoever, which shall subject to liability any other individual, corporation or organization.

## **ARTICLE 11      INITIATIVE AND RECALL**

Section 1. A petition, signed by ten (10) percent of the membership requesting the holding of an election for the purpose of recalling an elected officer may be filed at any time with the Secretary. The Secretary shall deliver said petition at the next membership meeting. The Chapter will schedule a recall election one month



later at the general meeting. Notice of the recall election shall be included in the notification of membership meeting.

Section 2. All recall elections shall be conducted by written secret ballot. A successful recall vote requires a minimum of two thirds of the ballots cast.

Section 3. If the officer is recalled, the Chapter shall elect a successor to fill the un-expired term. The person recalled shall not be eligible as a candidate for election to fill the vacancy.

## **ARTICLE 12 AMENDMENTS**

Section 1. Proposed amendments to these bylaws must be submitted in writing at a Chapter meeting. CVMA 33-1 members with a valid email on the roster, will be notified of the proposed amendment prior to a ratification vote which shall be held at the next regularly scheduled meeting of CVMA 33-1. The proposed amendment may be adopted by two-thirds (2/3) affirmative vote of those present and voting.

Section 2. These Bylaws shall be amended to conform to any change in the CVMA Charter and Bylaws.

## **CERTIFICATION**

We hereby certify that the above Bylaws were read at a Chapter meeting and adopted on : February 15, 2015, by a two-thirds (2/3) vote of those present and voting.

Signed: *Ronald Straight*  
Signature of Chapter Commander  
(signature on file)

Signed: *Peter Kaminski*  
Signature of Executive Officer  
(signature on file)