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# CHAPTER 19-8

MARCH 2020.A

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# **Table of Contents**

	<b>PAGE</b>
<b>Article 1: Name and Emblem</b>	<b>1</b>
<b>Article 2: Objectives</b>	<b>1</b>
<b>Article 3: Membership</b>	<b>3</b>
<b>Article 4: Membership Dues</b>	<b>4</b>
<b>Article 5: Elections</b>	<b>5</b>
<b>Article 6: Officer Qualifications</b>	<b>6</b>
<b>Article 7: Officer Duties</b>	<b>7</b>
<b>Article 8: Meetings</b>	<b>9</b>
<b>Article 9: Delegations</b>	<b>9</b>
<b>Article 10: Amendments</b>	<b>10</b>
<b>Article 11: Patches</b>	<b>10</b>
<b>Article 12: Account Access</b>	<b>11</b>
<b>Article 13: Conflict of Interest</b>	<b>11</b>
<b>Article 14: Dissolution Clause</b>	<b>13</b>
<b>Article 15: Limitation on Activities</b>	<b>13</b>
<b>Article 16: Benevolent Fund</b>	<b>14</b>
<b>Summary of Amendments</b>	<b>14</b>
<b>Certification and Signatures</b>	<b>15</b>



## **Article 1 – NAME AND EMBLEM**

### ***Section 1.1***

The name of the association is: New York Combat Veterans Motorcycle Association Chapter 19-8 (NY CVMA Chapter 19-8). We are a state-run chapter of the National Combat Veterans Motorcycle Association.

- a. Principal office of the National Combat Veterans Motorcycle Association will be located at: 1019 Highland Liberty MO, 64068.
- b. Within the state of New York the principle office of CVMA 19-8 will be located in Syracuse New York USA

### ***Section 1.2***

The emblem / logo used by the Combat Veterans Motorcycle Association and its Chapters are sole property of the CVMA. The CVMA patch and logo cannot be reproduced without license from the National Combat Veterans Motorcycle Association BOD.

### ***Section 1.3***

The emblem of the Combat Veterans Motorcycle Association is in the shape of a skull encompassed by the following colors: The incorporated colors are:

- The Skull and Ace of Spade- represents the death that war leaves in its wake
- Red – represents the blood that has been shed on the battlefield.
- Military Gold – representing the many ethnic background of all nations.
- Black – represents the heavy hearts possessed for those who gave their lives and for those that are considered missing in action or prisoners of war.

## **Article 2 – Objectives**

Protocol

### ***Section 2.1***

The New York Combat Veterans Motorcycle Association Chapter 19-8 is formed for the ***betterment*** of communication and camaraderie between Veterans, Veterans Organizations, families of veterans other Motorcycle Association, and or Motorcycle Groups. **We are not a Motorcycle Club.**

## ***Section 2.2***

Internal Revenue code (IRC) Section 501(c) (19) Purposes. Combat Veterans Motorcycle Association 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. The 19-8 Chapter BOD has the authority to change the 19-8 chapter bylaws if any part is found to be in conflict with Federal or New York state tax laws.

## ***Section 2.3***

Promote interest in various forms of motorcycling activities that are **associated with and supports Veterans**

## ***Section 2.4***

Promote and support Veterans in need and Veteran Organizations.

## ***Section 2.5***

Raise awareness for the plight of U.S. soldiers that are/were prisoners of war (POW), missing in action (MIA), wounded in action (WIA), or killed in action (KIA) and their families.

## ***Section 2.6***

Conduct Chapter functions and activities in a manner befitting the members of the Combat Veterans Motorcycle Association and the United States Armed Forces.

## ***Section 2.7***

Encourage a better understanding of motorcycling and motorcyclist among members of the public, press and law enforcement agencies.

## Article 3 – MEMBERSHIP

### *Section 3.1*

All Chapter memberships shall be in association with CVMA National Bylaws. 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 3.2*

By applying for membership with the Combat Veterans Motorcycle Association, you are giving the NY CVMA 19-8 and the National Combat Veterans Motorcycle Associations Board of Directors the right to verify any membership application, and DD 214 records.

### *Section 3.3*

Each member must attend a minimum of at least one (1) event hosted by the Combat Veterans Motorcycle Association per year. Members must also keep their local dues up to date. Members not in compliance will have their status (via 201 file) annotated as "Not in Good Standing due to attendance".

### *Section 3.4*

All members **MUST** conduct themselves in a manner that is not an embarrassment to themselves, the Combat Veterans Motorcycle Association, or the United States of America.

- a. In the event of misconduct by any member, under these by-laws and those of the National Combat Veterans Motorcycle Association, the Board of Directors possesses the right to revoke their membership. Misconduct is defined as failure to abide by the by-laws of the Combat Veterans Motorcycle Association and any organization that the Combat Veterans Motorcycle Association supports.
- b. Bringing dishonor upon the Combat Veterans Association in action, word(s), deeds. **WE ARE NOT, NOR DO WE CLAIM TO BE A MOTORCYCLE CLUB! WE DO NOT HAVE COLORS!** We do not prospect.
- c. Bringing dishonor upon the Combat Veterans Association in action, word(s), or deeds to include as example but not limited to this list:
  1. Personal relations with another member's significant other.
  2. Criminal misconduct: drugs, theft, felonies etc.
  3. Conviction of Drinking and Driving

### *Section 3.5*

All members must possess a valid motorcycle driver's license endorsed by their state as well as proof of insurance for their motorcycle. This proof must be validated by one of the Chapter officers prior to issuing any back patch.

## **Article 4 – MEMBERSHIP DUES**

### ***Section 4.1***

A cap of \$20.00 annual chapter dues is assessed. All national dues continue to go straight to National.

### ***Section 4.2***

Annual dues of \$20 will be assessed effective February 16<sup>th</sup>, 2020 for **all** Members (Full, Auxiliary and Support). Dues for CVMA members deployed in a war zone will be waived. Dues for all members must be received by **June 30th** of each year. Failure to pay dues will result in the member's 201 file reflecting "Member not in good standing for failure to pay chapter dues" This will result in the member being denied chapter voting privileges.

### ***Section 4.3***

New members purchasing patches of the Combat Veterans Motorcycle Association will be done so at cost plus shipping and handling. The initial back patch will be ordered through one of the Chapter's Officers, State Quarter Master or the State Representative and will be issued to new members in person.

## **Article 5 – ELECTIONS**

### ***Section 5.1***

Members may accept a nomination for any Chapter officer position if he/she is a paid member in good standing with the local and national CVMA, meet all requirements (Article 6) and has a minimum of 1 full year CVMA membership with at least six (6) months in the Chapter. Only the six (6) month minimum requirement rule may be immediately amended with a majority vote of the general membership.



### ***Section 5.2***

All elected and or appointed officers must remain active members in good standing for the duration of the term while in office.

### ***Section 5.3***

Officers are to be nominated and elected at the CVMA 19-8 meeting held in November. Elected members will assume positions immediately after elections are complete and hold that office for **24 months** or until their successors are duly qualified. Consecutive terms are permitted.

### ***Section 5.4***

An Election Delegate will be appointed by either the Commander (even numbered years) or Executive Officer. (Odd numbered years) The election delegate will keep all nominations and make the presentation to the membership of nominations prior to the elections of positions.

### ***Section 5.5***

Chapter Officer Nominations can be made electronically (email) to the Election Delegate, but the nominee must accept the nomination (in person or by phone) to the election delegate, at least 14 days prior to the elections being held. The Commander or XO will vote only in the event of a tie.

### ***Section 5.6***

NY CVMA Chapter 19-8 Officers will be considered for re-election on alternation years in the following order, Commander / Secretary / Public Relations Officer (Odd numbered years); XO / Treasurer / SGT at Arms. (even numbered years) This is to ensure continuity and provide new Officers with a smooth transition.

### ***Section 5.7***

Should any NY CVMA Chapter 19-8 Officer (other than the Commander) resign or be removed for any reason the Chapter Commander has the authority to replace the officer at his/her discretion. However, the new officer will be put up for approval by the NY CVMA Chapter 19-8 officers and a majority vote will decide. The Commander will vote only in the event of a tie. Should the NY CVMA Chapter 19-8 Commander be removed, the position will be assumed by the Chapter's Executive Officer (XO) and the XO's position will be reassigned.

### ***Section 5.8: Voting by Proxy***

Deployed active duty military members may vote by proxy if the ballots are emailed directly to the Chapter Secretary. The Chapter Secretary will immediately send an email back to the originator to confirm receipt of said ballots. Ballots will be then forwarded to Election Delegate.

### ***Section 5.9: Voting by Conference Call***

Members that are not able to attend a meeting may vote by Conference call as long as FM# is on record. Any matters that are required to be voted on must be addressed by email 1 week prior to the vote to allow members to read and review any matters that are needed to be voted on. The Chapter Secretary will send out all items to be voted on in a timely manner and record all votes via phone conference call. A member will not be allowed to propose a vote or matter to be voted on via phone, in person proposals will be required.

### ***Section 5.10 Unopposed Nominations***

Any member who runs unopposed must still carry a majority vote of Yea or Nay ballot.

## **Article 6 – Officer Qualifications**

### ***Section 6.1: Requirements for Commander***

Must be a **Full** member in good standing, served successfully a full term as an officer, have at least 3 years membership and working knowledge of Robert's Rules of Order.

### ***Section 6.2: Requirements for Executive Officer***

Must be a **Full** member in good standing, be a prior officer, and have at least 2 years membership and working knowledge of Robert Rules of Order

### ***Section 6.3: Requirements for Secretary***

Must be a Full member in good standing, chaired at least 3 committees or served as an officer, have 2 years membership.

### ***Section 6.4: Requirements for Treasurer***

Must be a **Full** member in good standing, chaired at least 3 committees or served as an officer and at least 1-year membership.

### ***Section 6.5: Requirements for SGT at Arms***

Must be **Full** member in good standing, chaired at least 2 committees or served as an officer and at least 1-year membership.

### ***Section 6.6: Requirement for Public Relations Officer***

Must be a member in good standing, chaired at least 2 committees or served as an officer, and at least 1-year membership.

### ***Section 6.7: Requirements for Quartermaster***

Must be a member in good standing, chaired at least 2 committees or served as an officer, and at least 1-year membership.

### ***Section 6.8: Requirements for Ride Captain***

To be appointed by the Chapter Commander. Must be a member in good standing, chaired a committee, have a working knowledge of road safety rules and good knowledge of local roads and byways. Members must also have a roadworthy motorcycle.

## **Article 7 – OFFICERS DUTIES**

### ***Section 7.1***

The **Commander** will preside over all meetings of the Chapter; act as the Executive Officer for all committees, issue the agenda for regular and special NY CVMA Chapter 19-8 meetings, schedule regular elections, and be sure they are held IAW the National and local CVMA bylaws, and carry out the directives of the National CVMA Board of Directors. The Commander may appoint additional duties as required to Chapter Officers and may designate Officer Positions if said position is vacant.

### ***Section 7.2***

The **Executive Officer** will perform all duties of the Commander in the absence. He/She will be the point of contact for all new applications to ensure the correct paperwork (to include motorcycle license and proof of insurance) is in order before releasing it to the NY State Representative. The Executive Officer will perform duties of the Public Relations Officer (Article 6 Section 5) if that position is vacant. The Executive Officer will also inspect and verify, with an initial, ALL monthly Treasures reports prior to addition into the monthly minutes.

### ***Section 7.3***

The **Secretary** shall keep ‘minutes’ of the NY CVMA Chapter 19-8 general membership and Board of Directors meetings held at Nationals. He/She will keep attendance records, keep and maintain an updated NY CVMA Chapter 19-8 membership roster as well as updated the website roster. He/She will also maintain a hard copy of all monthly Treasurer report(s) as part of the monthly minutes. Other duties may include updating the NY CVMA 19-8 website, correspondence with inactive members, and ensure to have all points of contact (phone numbers/emails) for meeting locations and members and keep the Bylaws of NY CVMA Chapter 19-8 up to date in the occasion of an addendum.

#### ***Section 7.4***

The **Treasurer** will collect dues and other forms of income due to the NY CVMA Chapter 19-8 and the National CVMA as required. He/she shall maintain the accounting books, make payments from the association funds when so ordered by the Commander, sign all of the Combat Veterans Motorcycle Associations checks and make monthly reports of the associations financial status to the Chapter Board of Directors and the general membership. The Treasurer will, in addition to making monthly reports to the membership, supply the Executive Officer a hard copy of ALL bank financial statements for inspection prior to submission to the monthly minutes. The Treasurer is open to audit at any time.

#### ***Section 7.5***

The **Public Relations Officer** will maintain a file containing the Chapters mission, tax ID numbers and copies of event flyers (at a minimum) and have it ready to present at each meeting and all association functions. He/She will be in charge of all the Combat Veterans Motorcycle Associations publicity, in conjunction with and approved by the associations Commander. Duties will include: Historian, Chapter file, Pictures, Newspaper Articles, TV and Radio Announcements and associations website and Facebook page.

#### ***Section 7.6***

The **SGT at Arms** will maintain order during CVMA meetings and has the authority to check members ID cards before the start of each meeting. While every member is responsible for their own actions, the SGT at Arms is looking out for the Chapter's actions as a whole. He/She will speak directly to any member or guest at any event if their actions may jeopardize, or call into question the integrity of the NY CVMA Chapter 19-8's reputation. He/she will maintain the Chapter's guide on and make present at each event only in the presence of the Commander.

#### ***Section 7.7***

The **Quartermaster** will maintain all chapter equipment, 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 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 7.8***

The **Road Captain** is appointed by the NY CVMA Chapter Officers. The Road Captain will plan routes for rides and meetings. He/She will ensure the routes are safe for use by large groups of motorcyclists and that no major construction will prevent the use of said routes. He/She will be the point of contact when working with police escorted rides. He/She will brief riders on safety, stops along the way, any tolls associated with rides and time hacks before the start of each ride.

### ***Section 7.9***

Duties and responsibilities are subject to change in order to support any requirements or justified request of the Chapter's Officers, State representative or the National CVMA BOD

### ***Section 7.10***

The Executive Board of NY CVMA 19-8 will consist of Commander, Executive Officer, Secretary, Treasurer, Quartermaster and Sargent of Arms.

## **Article 8 – MEETINGS**

### ***Section 8.1***

Every effort will be made to hold meetings in facilities that support, defend and bring honor to all the U.S. Military Veterans. Meetings will be at various times and locations in the State of New York to include (but not limited to) VFW's, American Legions, Monuments, Veterans' Parks, Memorial sites, business establishments and private homes. A quorum of conducting business shall be those present at any given meeting.

### ***Section 8.2***

The NY Combat Veterans Motorcycle Association Chapter 19-8 encourages their members to attend all meetings. The meetings are the forum to present old and new NY CVMA 19-8 business and any concerns therewith. Meetings are used to build camaraderie among Veterans, their families and their supporters AND create a sense of unity within the Chapter and the CVMA as a whole.

### ***Section 8.3***

Special membership meetings and special Chapter Officers meetings can be called by the Commander or two active members. An active member is any member that has not missed three or more consecutive meetings and is in good standing with the Chapter.

### ***Section 8.4***

The Chapter Commanders rule of order will be applied. Roberts Rule of Order will be applied during meetings to affect parliamentary procedures, unless otherwise amended and provided for in the bylaws. Roberts Rules of Order will be used for any instance that these Bylaws have not covered for a procedure. The Sergeant At Arms shall serve as the primary parliamentarian.

## **Article 9 – DELEGATIONS**

Delegations will be appointed by the Commander (but are subject to the approval of the officers) to officially represent the Chapter at any convention, meeting, rally, or other assembly that may be deemed necessary, and all delegations are authorized to exercise only those powers specifically vested in them by the NY CVMA 19-8's Officers.

## **Article 10 – AMENDMENTS**

### ***Section 10.1***

The general membership may present amendments to the bylaws when ratified by three fourths of the members present at a NY CVMA 19-8 meeting. Amendments passed will take place immediately.

### ***Section 10.2***

Proposals for amendments to these bylaws may be submitted to the general membership meeting for consideration for a maximum of two consecutive years. If the proposal is denied for two consecutive years, it shall not be placed on the agenda again unless one of the following criteria is met:

1. A two-year time limit has elapsed
2. The State Representative approves the item for placement on the agenda.

### ***Section 10.3***

The State Representative and Chapter Commander will not vote on amendments. A majority vote of the general membership must be obtained. If the result is a tie, the amendment will be denied.

### ***Section 10.4***

The State Representative will be informed of amendment request to the CVMA 19-8 bylaws and may pass those requests on to the NBOD at their discretion. All bylaw changes are subject to review and approval by the National Board of Directors.

### ***Section 10.5***

If any CVMA 19-8 Chapter Bylaws conflicts with the CVMA National Bylaws, the National Bylaws will take precedence over these Bylaws.

## **Article 11 – PATCHES**

### ***Section 11.1***

No Chapter Location Bars, territorial rockers, rocker patches or anything giving the appearance of a rocker are to be worn with a CVMA backpatch. Additionally, no state flags, state images or state logos, which could be interpreted as claiming territory, are to be worn on the front or back of the vest, jacket and soft colors. Diamonds and/or any cube shaped patch that could be taken as a 1% MC (front and back), any % patch (2%, 3%, 99%, 100% etc. regardless of the shape) and/or rib/side rockers (worn on the lower front of the vest or jacket) will not be worn on the vest or jacket. “Property-Of” patches will not be worn with any CVMA back-patch. Placement of patches would be appropriate to follow the same guidelines as the Military, with your Chapter identification patch placed above your heart (left side) and your road name (if assigned) on below your Chapter identification. However, it is up to you to decide on placement of your patches. Chapter officers are responsible for knowing what is and is not acceptable within the region.

## ***Section 11.2***

The back patch is the sole property of the CVMA. Authorization to wear this patch is given as long as the member is in good standing as set forth in Article 3. The back patch will **not** be referred to as “colors”, it is a patch. Should a member decide to terminate membership for any reason it will also void that members authorization to wear the CVMA back patch and said member will be **required** to return the patch **within 30 days** of termination with **no** return of funds.

## ***Section 11.3***

It is the desire of the NY CVMA Chapter 19-8 officers and members to make the day a new member receives his/her back patch a memorable one for all. Therefore, we ask that any members make every effort to be present at a general meeting in order to receive the back patch. While this not a forcible requirement it is **strongly** recommended.

## **Article 12 – ACCOUNT ACCESSES**

### ***Section 12.1***

CVMA 19-8 may create and maintain accounts on various social media and communication platforms. Members are prohibited from using such accounts to post, communicate or comment while signed in as or appearing as any CVMA 19-8 platform. Members whose duties would typically require them to assume the CVMA 19-8 role would be the Public Relations Officer, Commanding Officer, Secretary and their delegates.

### ***Section 12.2***

Members may be tasked with creating, maintaining or otherwise interacting with CVMA 19-8 accounts and platforms in the course of running the organization. Members with special access shall be required to surrender passwords, account credentials and ownership rights for any accounts they are given access to and may not retain ownership of, lock out, transfer to others, said accounts.

## **ARTICLE 13 - CONFLICT OF INTEREST POLICY**

### ***Section 13.1***

Purpose: The purpose of the conflict of interest policy is to protect CVMA 19-8 tax-exempt interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

### ***Section 13.2***

**Definitions:** Interested Person - Any Officer with a direct or indirect financial interest, as defined below, is an interested person. Financial Interest - A person has a financial interest if the person has, directly or indirectly, through business, investment, or family: **a)** An ownership or investment interest in any entity with which the Organization has a transaction or arrangement. **b)** A compensation arrangement with the Organization or with any entity or individual with which the Organization has a transaction or arrangement, or **c)** A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Organization is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that are not insubstantial. A financial interest is not necessarily a conflict of interest. A person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

### ***Section 13.3***

**Procedures:** 1. Duty to Disclose - In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the Officers and members of committees with governing board delegated powers considering the proposed transaction or arrangement. 2. Determining Whether a Conflict of Interest Exists - After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the Officers meeting while the determination of a conflict of interest is discussed and voted upon. The remaining committee members shall decide if a conflict of interest exists. 3. Procedures for Addressing the Conflict of Interest - a) An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest. b) The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement. c) After exercising due diligence, the governing board or committee shall determine whether the Organization can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest. d) If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.



### ***Section 13.4***

#### **Violations of the Conflicts of Interest Policy -**

- a) If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b) If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

#### **Article 14 – Dissolution Clause**

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(19) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose. Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

#### **Article 15 - LIMITATION ON ACTIVITIES**

##### ***Section 15.1***

Limitation-No substantial part of the activities of CVMA Chapter 19-8 shall be for propaganda, or otherwise attempting to influence legislation (except as otherwise provided by Section 501(h) of the Internal Revenue Code), and this corporation shall not participate in, or intervene in (including publishing or distribution of statements), any political campaign on or behalf of, or in opposition to, any candidate for public office. Notwithstanding any other provisions of these Bylaws, this corporation shall not carry on any activities not permitted to be carried on by:

- (a) Corporation exempt from federal income tax under section 501[c][19] of the Internal Revenue Code.
- (b) Corporation, contributions to which are deductible under section 170[c][2] of the Internal Revenue Code.

***Section 15.2***

Prohibition against Private Inurement-No part of the next earnings of CVMA Chapter 19-8 shall inure to the benefit of, or be distributable to, its members, directors, or trustees, officers or private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes of this corporation.

**Article 16- Benevolent fund**

The Benevolent Fund for CVMA 19-8 members will be up to, but not to exceed, \$1,500.00 per incident. Chapter 19-8 must help raise money on their own prior to applying for additional funds from the NBOD. Money given out will not be required to be given back. Chapter 19-8 with a member in need, can petition the NBOD through the Chain of Command for funds. 10% of the general funds will be set aside for the 19-8 Benevolent Fund.

**SUMMARY of AMENDMENTS and CHANGES**

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**CERTIFICATION**

We hereby certify that the above bylaws were read at a Chapter meeting and adopted on March 15, 2020, by a two-thirds (2/3) affirmative vote of those present and voting.

\_\_\_\_\_ AYE

\_\_\_\_\_ NAY

Louis "Ghoastrider" Linstrom  
Chapter 19-8 Commander

Anthony "Yeti" Yetsko  
Chapter 19-8 Secretary