

**Veterans of Foreign Wars of the United States
Department of Nevada**

Preamble

The Department of Nevada, Veterans of Foreign Wars of the United States, adopts, publishes and declares the following as the By-Laws governing said Department

Sec. 230101 - Organization

- a. This subdivision of the Veterans of Foreign Wars of the United States shall be known as the **Department of Nevada**, Veterans of Foreign Wars of the United States, hereinafter referred to as the Department.
- b. The jurisdiction of the Department shall conform to the territorial limits of the State of Nevada.
- c. The location shall be the Department Adjutant's address, or as designated by the Department Commander.

Sec. 230102 - Purpose

The purposes of this corporation are fraternal, patriotic, historical, charitable, and educational, and are:

1. to preserve and strengthen comradeship among its members;
2. to assist worthy comrades;
3. to perpetuate the memory and history of our dead, and to assist their widows and orphans;
4. to maintain true allegiance to the Government of the United States, and fidelity to its Constitution and laws;
5. to foster true patriotism;
6. to maintain and extend the institutions of American freedom; and
7. to preserve and defend the United States from all enemies;
8. to coordinate the work of the Districts and Posts of the Veterans of Foreign Wars of the United States operating within the State of Nevada;
9. to supervise and direct the affairs of said Districts and Posts through the Department Commander and District Commanders in accordance with the Congressional Charter, By-Laws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 230103 - Membership

An individual is eligible for membership in the Corporation if the individual served honorably as a member of the Armed Forces of the United States:

1. In a foreign war, insurrection, or expedition in service that:
 - a. Has been recognized as campaign-medal service; and
 - b. Is governed by the authorization of the award of a campaign badge by the United States government;

2. On the Korean peninsula or in territorial waters for at least thirty (30) consecutive days, or a total of sixty (60) days, after June 30, 1949; or
3. In an area which entitled the individual to receive special pay for duty subject to hostile fire or imminent danger under **Section 310 of Title 37**.

Sec. 230104 - Powers

The supreme power of this Department shall be vested in the National Convention of the Veterans of Foreign Wars of the United States and shall at all times be governed by the Congressional Charter, By-Laws, Manual of Procedure and Ritual as adopted by the National Convention, mandates of the National Council of Administration and orders of the National Commander-in-Chief.

1. Subject to provisions of the Congressional Charter, By Laws, Manual of Procedure and Ritual this Department shall be governed by the Department Convention, Department Council of Administration and Department Commander subordinate to the authority listed above.

Article I – By-Laws

Sec. 101 – By-Law Approval

The Department Convention may fix Department By-Laws not in conflict with the National By-Laws, provided such By-Laws are submitted to the Commander-in-Chief for review.

Sec. 102 – District and Post By-Law Approval

By Laws for the Districts and Posts within the Department of Nevada will be sent to the Commander for approval provided they are not in conflict with the National and Department By-Laws. After approval by the Department Commander and attested by the Department Adjutant, they will be forwarded to the Commander-in-Chief for final review.

Sec. 103 – Consolidation

Consolidation of two (2) or more Posts within the Department of Nevada will be in accordance with **Article II, Section 209**, of the Congressional Charter, By Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Article II – Organization

Sec. 201 – Organizational Units

The constituted bodies of this Organization shall be subordinate to and governed by the Congressional Charter, By-Laws, Manual of Procedure and Ritual, Department Convention and lawful orders of this Department and the Department Commander shall consist of the following: All Chartered Posts and approved Districts of the Veterans of Foreign Wars of the United States within the State of Nevada.

Sec. 202 – Men’s Auxiliary

A Post within the Department may form an association separately constituted as a subordinate unit. The Department shall charter such unit. Such association shall be subject to the rules and policy established by the Department Convention, Department Commander, and Post. Membership eligibility shall conform to the National By-Laws and Manual of Procedures **Sec. 1302**. Post and subordinate unit shall conform to the Standard Operating Procedures as provided by National.

Article III – Meetings

Sec. 301 – Convention

The Department shall hold one (1) Convention each year, in accordance with **Section 601** of the Department By-Laws, and in accordance with **Section 503** of the National By-Laws.

Sec. 302 – Council of Administration

The Department Council of Administration shall meet in regular session at least two (2) times each year.

- a. The Council of Administration shall be in accordance with **Section 522** of the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States.
- b. In case of Disciplinary Action Appeal the Council shall consist of each District Commander, less the District from which the appeal originates, and three (3) members appointed by the Department Commander.

Sec. 303 – Special Meetings

The Department Commander may call a special meeting of the Council of Administration whenever in his/her judgment the same may be necessary for the welfare of the Department. The Department Commander shall call a special meeting upon written request signed by a majority of the members of the Department Council of Administration. Should the Department Commander refuse to call a special meeting after such a meeting has been requested in writing by a majority of the members of the Department Council of Administration, the Department Council of Administration may proceed to hold such a meeting, due notice of which shall be sent to all members of the Council by the Adjutant not later than ten (10) days prior to the date of the said meeting.

Article IV – Quorum

Sec. 401 – Convention

The minimum number of delegates required to constitute a quorum for the transaction of business at the Department Convention shall be not less the one (1) delegate from ten (10) Posts in the Department.

Sec. 402 – Council of Administration

A majority of the members of the Council of Administration shall constitute a quorum for the transaction of business.

Article V – Revenue

Sec. 501 – Per Capita Tax

The annual per capita tax for the Department shall be Ten Dollars (\$10.00) per member effective 1 July 1998. The per capita tax for the National Organization will be paid in accordance with the provisions of the Congressional Charter, By-Laws, Manual of Procedure and lawful orders.

Sec. 502 – Convention Fee

Each Post shall pay to the Department a convention fee of One Dollar (\$1.00) for every five (5) members of the Post membership based on the ending count of the membership report of April 30th of each year. All fees collected may be used towards defraying the expense of the Department Convention as incurred by the Department.

Sec. 503 – Budget

The Department Quartermaster shall prepare with the assistance of the Budget Committee composed of:

1. Department Quartermaster
2. Senior Vice Commander
3. Junior Vice Commander
4. Adjutant
5. Assistant Quartermaster

a budget for the financial operation of the Department for the ensuing year. The budget shall be on forms prescribed by the National Organization, or computerized print out, and shall set forth all estimated revenue and anticipated expenditures. Restricted funds shall be identified and budgeted within the budget and the budget must balance. The budget will be presented to the Department Council of Administration ten (10) days prior to the Department Convention and the budget should be approved at the first meeting of the Council of Administration following the Department Convention. Action must be taken to adopt the budget at this first Council of Administration meeting as it shall be the revenue and expenditure guide for the year. One (1) copy of, a budget must be forwarded to the **Adjutant General's Office** for review.

Article VI – Department Convention

Sec. 601 – Department Convention

The Department shall hold one (1) Convention each year, which shall begin no earlier than ninety (90) days prior to the convening of the National Convention and shall be concluded no less than thirty (30) days prior to the convening of the National

Convention per **Section 503** of the Congressional Charter, By-Laws, Manual of Procedure, and Ritual. The selected time shall be recommended by the Time and Place Committee two (2) years in advance of the Convention in compliance with **Section 503** of the Congressional Charter, By-Laws, Manual of Procedure, and Ritual, and **Section 601** of the Department By-Laws, and approved on the floor in accordance with **Section 1601** of the Department By-Laws. The time and place in which each Department Convention will be held will be voted on by the delegates at the Department Convention on a bid for the Convention that will be held two (2) years in advance of the Present Convention.

Sec. 602 – Change of Time or Place of the Convention

In the event that a bid is returned to the Department, nothing in this Article shall prevent the Department Council of Administration between Conventions from changing the time or location as designated by the delegates to the Convention, in accordance with **Section 601** of the Department By-Laws, should in the opinion of the Council, it be deemed for the interest of the Department.

Sec. 603 – Composition

Composition of the Department Convention will be in accordance with **Section 503** of the Congressional Charter, By-Laws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 604 – Ratio of Delegates

Delegates are elected by the Posts at a ratio of one (1) for each thirty (30) members or a fraction thereof and is determined by the total membership of the Post as of April 30th each year.

Sec. 605 – Time Set for Joint Opening

Opening time for the Joint Opening of the Convention shall be 9:00 a.m. on the first day of the Convention.

Sec. 606 – Voting Procedures

The voting strength of the Department Convention will be in accordance with **Section 521** of the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars. Each member not present at the meeting shall not be permitted to vote by proxy.

Sec. 607 – Council of Administration Vote

Each member of the Council of Administration present at the Department Convention or at a Council Meeting will be entitled to one (1) vote. Members not present shall not be permitted to vote by proxy.

Sec. 608 – Delegate Voting Strength

For the purpose of determining delegate strength at the Department Convention for voting purposes, the cut off date will be Post membership as of April 30th of each year. This will give the Department Quartermaster time to present the total voting strength to the Credentials Committee at the Convention thereby eliminating last minute changes.

Sec. 609 – Members of At Large

Members of the At Large will not have any voting privileges at the Department Convention.

Sec. 610 – Registration Fee

The Post hosting the Department Convention and/or Department Mid-Winter Conference shall not charge the delegates more than Three Dollars (\$3.00) registration fee.

Article VII – Control of Units

Sec 701 – Canteen Operations

All posts operating a Canteen for the benefit of their Members and Auxiliary must comply with *all local and* Nevada State Liquor Laws, Regulations and all Internal Revenue Service requirements.

All posts operating a canteen must have a set of canteen by-laws that meet or exceed the minimum Department of Nevada guideline for Standard Operating Policy. (To be Determined/Developed)

An approved copy of canteen by-laws for each post operating a canteen must be on file with the Department Adjutant/Quartermaster.

Article VIII – Solicitation of Funds

Sec. 801 – Fund Raisers

All fund raising projects or solicitations for donations conducted by the Department will be done in accordance with **Section 514** of the Manual of Procedure and Ritual.

Article IX – Disciplinary Procedure and Appeals

Sec. 901- Disciplinary Procedure shall be in accordance with Article IX of the National By-Laws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 902 – Appeals

Except with respect to those matters for which other provisions for appeal are made in Article IX – Discipline, of the National By-Laws and Manual of Procedure, any member, Post, District or Department aggrieved by any acts or decisions may appeal, by the rights afforded by the National By-Laws, to the next higher authority as prescribed in **Section 109** of the Manual of Procedure.

Article X – Eligibility to Office

Sec. 1001 – Eligibility

Any member in good standing in a Post in the Department shall be eligible to any office, provided no member shall hold two (2) elective Department Offices but may hold one (1) elective and one (1) or more appointive offices.

Sec. 1002 – Eligibility of Department Officers

Department Officers, elective or appointed, may be eligible to hold office to a higher or lower body and such offices may be held concurrently.

Article XI – Department Officers

Sec. 1101 – Elected and Appointed Officers

Elected and appointed Officers, appointed Chairmen and Committees will be in accordance with **Section 516** of the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 1102 – Officers' Payments

Payment for officers and committee chairmen will be paid by the Department Quartermaster upon receipt of an Expenditure Sheet with receipts for actual and reasonable expenses, if a private automobile is used for travel, U.S. General Services Administration POV current mileage reimbursement rates apply. However, the aggregate amount paid by the Quartermaster shall not exceed the amount of the specified line item in the Budget, without approval of the Council of Administration.

Sec. 1103 – National Appointment

In the event that one of Department Officers' receives a National Appointment and receives and allowance to attend the National Convention or the Washington Conference, he/she is entitled to collect actual and reasonable expenses upon submitting an Expenditure Sheet with receipts, up to the amount authorized by the Department Budget, to attend the Conference, less the National Allotment and the actual value of the airline or other travel means.

Article XII – Nominations, Elections, Installation and Term of Office

The nominations, election, installation and term of office will be in accordance with **Section 517** of the National Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars.

Article XIII – Officer and Chairmen Duties

Sec. 1301 – Duties

The Department Officers, elective and appointed powers and duties will be in accordance with **Section 518** of the Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Article XIV – Vacancies and Removal of Elective Officers

Sec. 1401 – Vacancies

All vacancies in the elective offices and the removal of elective officers will be in accordance with **Section 520** of the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Article XV – Council of Administration

Sec. 1501 – Duties and Powers

The Department Council of Administration powers and duties will be in accordance with the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 1502 – Payment for COA Members

Payment for the Council of Administration members attending Council of Administration meetings will be paid by the Department Quartermaster upon receipt of an Expenditure Sheet with receipts for actual and reasonable expenses, if a private automobile is used for travel, U.S. General Services Administration POV current mileage reimbursement rates apply.

Article XVI – Convention Bids

Sec. 1601 – Bids

All bids will be submitted at the Department Convention to the Time and Place Committee who will meet and select the next city to host the Convention two (2) years in advance of the present Convention. The Committee shall also select a time for that Convention that complies with **Section 503** of the Congressional Charter By-Laws, and **Section 601** of the Department By-Laws. The Committee's recommendation will be placed on the floor for approval or rejection. The Time and Place Committee will consist of District Commanders.

Sec. 1602 – Withdrawn Bids

Any bids awarded two (2) years in advance and then withdrawn will be reopened at the Convention one (1) year prior to the actual Convention. If a bid is withdrawn less than

one (1) year before the Convention the site will be decided by the Department Council of Administration after receiving bids. The Council of Administration will consider the bids by a special meeting, mail, telephone, e-mail or fax ballot.

Article XVII – Department Districts

Sec. 1701 – Districts

The Department of Nevada, Veterans of Foreign Wars of the United States, is hereby divided into six (6) Districts.

District 1

Post 3630 - Topaz

Post 3819 – Reno

Post 8084 – Smith Valley

Post 8660 – Dayton

Post 3726 - Carson City

Post 8071 – Virginia City

Post 8583 – Gardnerville

District 2

Post 2350 – Elko

Post 7114 – Caliente

Post 9165 – Battle Mountain

Post 3547 – Ely

Post 8194 – Eureka

Post 12116 -- Winnemucca

District 3

Post 3396 – Sparks

Post 10053 – Verdi

Post 10247 - Fernley

Post 9211 – Reno

Post 10031 – Gerlach

District 4

Post 1002 – Fallon

Post 2313 – Hawthorne

Post 3677 – Gabbs

Post 12108 - Beatty

Post 1103 – Tonopah

Post 2668 – Mina

Post 6825 – Schurz

District 5

Post 983 – Henderson

Post 6826 – Armagosa Valley

Post 10054 – Pahrump

Post 12101 – Las Vegas

Post 1753 – Las Vegas

Post 8250 – Las Vegas

Post 12093 – Las Vegas

District 6

Post 36 – Boulder City

Post 3848 – Henderson

Post 8336 – Moapa Valley

Post 10468 – Searchlight

Post 243 – Laughlin

Post 7385 – Mesquite

Post 10047 – Las Vegas

Post 12119 – Las Vegas

Sec. 1702 – District Officers, Powers and Duties

District Officers' powers and duties will be in accordance with **Article IV, Section 418**, of the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 1703 – Additional Duties

In addition to **Article IV, Section 418**, of the Congressional Charter, By Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States, the following shall apply:

- a. It shall be within the powers of the District Commander and it is his/her responsibility to set the time and place of the District Meetings and District Convention.

Sec. 1704 – Post Delegates at District Meetings

Post Delegates at District Meetings and District Convention will be at a ratio of one (1) delegate and one (1) alternate for each five (5) members or fraction thereof. At all District Meetings and Convention, Members at Large shall not have any voting privileges.

Article XVIII – Order of Business

Sec. 1801 – Order of Business

The Order of Business at the Department Convention shall be:

1. Opening of the Convention in Due Form
2. Roll Call of Officers and Posts
3. Appointment of Committees
4. Officer and Program Chairmen Reports Beginning with the Commander
5. Report of Committees
6. Unfinished Business
7. New Business
8. Election and Installation of Officers
9. Closing the Convention in Due Form
10. The Order of Business may be suspended at any time by a two-thirds (2/3) vote of the delegates present, to be taken without debate.

Sec. 1802 – Rules of Order

Rules of Order for all meetings will be in accordance with **Article X, Section 1001**, of the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

Sec. 1803 – Rituals

The Rituals used by this Department and subordinate bodies shall be as prescribed by the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars.

Article XIX – Amendments

Sec. 1901 – Amendments

Any proposed amendment to these By-Laws must be acted upon at the Department Convention. Amendments shall be declared, adopted upon two-thirds (2/3) vote of the Convention Delegates. No amendment shall be effective until it has been reviewed by the Commander-in-Chief, Veterans of Foreign Wars of the United States.

Article XX – Miscellaneous

Sec. 2001 – Matters Not Covered

All matters not specifically mentioned in these By Laws shall be governed by the Congressional Charter, By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

These By-Laws were presented on the Department Convention floor on June 15, 2012 and received a "Do Pass" on the changes.

BY COMMAND OF:
Joe Rigsby
State Commander

OFFICIAL:




Bruce Hollinger
State Adjutant/Quartermaster

Veterans of Foreign Wars

JUN 18 2012

Administrative Operations

REVIEWED JUN 27 2012
FOR THE COMMANDER-IN-CHIEF



JOHN J. McNEILL, JR.
ASSISTANT ADJUTANT GENERAL
BY KEVIN C. JONES, DIRECTOR
ADMINISTRATIVE OPERATIONS