

**Department of West Virginia
Veterans of Foreign Wars of the United States**

Bylaws

**ARTICLE I
Name and Jurisdiction**

Section 1: This subdivision of Veterans of Foreign Wars of the United States shall be known as the Department of West Virginia, Veterans of Foreign Wars of the United States.

Section 2: The jurisdiction of this Department shall conform to the territorial boundary limitations of the State of West Virginia.

**ARTICLE II
Objects**

The objects of this Department are fraternal, patriotic, historical, charitable and educational, to preserve and strengthen comradeship among its members; to assist worthy comrades, to perpetuate the memory and history of our dead, and to assist their surviving spouses and orphans, to maintain true allegiance to the government of the United States of America, and fidelity to its Constitution and laws; to foster true patriotism; to maintain and extend institutions of American freedom; and to preserve and defend the United States from all of her enemies.

**ARTICLE III
Authority**

Section 1: The supreme power of this Department shall be vested in the National Convention of the Veterans of Foreign Wars of the United States; and the Department shall at all times be governed by the Congressional Charter, Bylaws and Manual of Procedure adopted by said National Convention, mandates of the National Council of Administration and orders of the Commander-in-Chief.

Section 2: The Department shall be governed by a Department Convention subordinate to the National Convention and lawful orders of the Department Council of Administration and/or Department Commander.

**ARTICLE IV
Department Convention**

Section 1: The Department Convention shall be composed of those specified in the National Bylaws and Manual of Procedure.

Section 2: The voting delegate strength of each Post of the Department shall be one (1) delegate for each thirty (30) members or fraction thereof, in good standing with the Department as of March 31st.

Section 3: Each Post shall pay a Department Convention delegate fee of five dollars (\$5.00) for every delegate each Post is entitled and five dollars (\$5.00) for the Post Commander not less than fifteen (15) days prior to the convening of the convention. Such delegate registration fee of Posts and the Post Commander fee shall be placed in the Department Convention Fund and used to help defray expenses incurred by the Department at said Convention. Any Post failing to comply shall be considered delinquent and in arrears and shall be deprived of all representation until arrearages are resolved.

ARTICLE V Officers

Section 1: Elected and Appointed Officers:

(a) The elected officers of the Department shall be a Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Surgeon, Judge Advocate and Chaplain.

(b) The Commander shall appoint an Adjutant, Inspector, Service Officer, Chief of Staff and Officer of the Day.

Section 2: The duties and term of office of the Department officers shall be those prescribed by the National Bylaws and as the Department Bylaws may hereafter provide, and as the Department Convention may direct.

Section 3: In addition to the duties of the Department Officers prescribed in the National Bylaws the following officers are charged with the following specified duties and responsibilities:

(a) The Department Commander shall be required to obtain a year-end financial report prior to July 31, certified by the Audit Committee, of the Department Quartermaster's annual receipts and disbursements of funds, annual inventory, location, and evaluation of all real and personal property belonging to the Department.

(b) The Department Quartermaster shall prepare a Financial Report complete in every detail, covering all receipts, disbursements, real and personal property belonging to the Department, and submit said report to the Audit Committee and Council of Administration every quarter.

ARTICLE VI Department Districts

Section 1: The *delegates of the State Convention* shall determine the number of Districts and the geographical boundaries established in the Department. Changes to the geographical boundaries of a District shall not take effect until the close of the annual Department Convention. A Charter shall be issued by the Commander-in-Chief and countersigned by the Adjutant General.

Section 2: The Districts shall function as provided in the Congressional Charter, Bylaws and Manual of Procedure, except:

(a) At least three (3) District Meetings shall be held each fiscal year by Districts for the purpose of promoting schools of instruction for Post Officers and for the discussion of problems affecting the welfare of the Veterans of Foreign Wars within the District.

(b) The voting delegate strength of each Post of the District Convention/Meeting shall be one (1) delegate for each thirty (30) members or fraction thereof, in good standing in the Post as of March 31st. The District Quartermaster shall verify the delegate strength of each Post using the month-end membership report immediately prior to the convening of the convention, with such additions as may be necessary by new Posts only. Such report shall be used to determine delegate strength for meetings during the ensuing year. Delegates and alternates of each Post shall serve as delegates throughout the year provided they remain members in good standing in the respective Post within the District.

ARTICLE VII

Department Council of Administration

(a) **Composition:** The Council of Administration shall consist of the Commander, Senior Vice Commander, Junior Vice Commander, Adjutant, Quartermaster, Chaplain, Surgeon, Judge Advocate, Inspector, Chief of Staff, District Commanders and the immediate past State Commander.

(b) **Meetings:** The Department Council of Administration shall meet in regular session at least three (3) times per year, and at such other times as directed by the Department Commander or the Council. There shall be a Council of Administration meeting held on the evening preceding the opening day of the annual Department Convention for the purpose of unfinished business.

ARTICLE VIII

Committees of the Department

Section 1: The following Standing Committees are hereby created:

(a) **The Department Legislative Committee:** The Legislative Committee shall consist of at least one (1) member from each West Virginia Congressional District and shall serve at the will and pleasure of the Department Commander. This Committee shall study and report to the Department Council of Administration, and Department Convention at each regular meeting thereof, any pending legislation affecting veterans, and shall represent the Department of West Virginia at any legislative committee hearings.

(b) **Budget Committee:** The Budget Committee shall consist of the current Department Commander, Senior Vice Commander, and two appointed persons knowledgeable in financial administration. The Department Quartermaster shall prepare a tentative budget for the financial operation for the ensuing year and present it to the Budget Committee. The duties of this Committee shall be to study carefully the budget of the previous year and the actual expenditures. They shall anticipate the income for the ensuing year, prepare and recommend to the Council of Administration for the ensuing year the adoption of a budget to govern the Department expenditures accordingly.

(c) **Audit Committee:** The Department Commander shall appoint an Audit Committee consisting of one (1) Past State Commander and two (2) individuals competent in basic accounting practices to perform a quarterly audit of all receipts, disbursements, real and personal property at Department Headquarters and certify the year-end report in writing prior to the last day of July of the current year.

(d) Department Conference and Convention Committee:

(1) The Conference and Convention Committee shall consist of the Department Commander, Department Adjutant/Quartermaster and three (3) members in good standing appointed by the State Commander.

(2) This Committee will be authorized to research and recommend contracts as far as 3 years in advance with an out clause in the third year.

(3) When it is untimely to secure the vote of the Convention delegation, the Council of Administration may enter into contract for the Department Conference or Convention, not to exceed two (2) years. Additional years must be ratified at the Department Convention by the delegation.

(e) General Resolutions and Bylaws Committee: The Resolutions and Bylaws Committee shall consist of the Department Commander, Department Senior Vice Commander, Department Judge Advocate, Department Chief of Staff and Department Adjutant/Quartermaster. The Chairman of the committee shall be appointed by the Department Commander. This committee shall review all proposed general resolutions and Bylaw changes and/or amendments for compliance with the National Bylaws and Manual of Procedure, prior to submission to the delegates at the Department Convention.

(f) Membership Committee: A Membership Committee Chairman shall be appointed by the Department Commander. The Committee Chairman shall develop programs and activities presented to the Department Commander for possible acting upon for the purpose of recruiting members and retaining existing members. The Chairman shall promulgate membership goals and accomplishments throughout the year and at District and Department meetings as appropriate.

Section 2: All other Department activities shall be carried out through the medium of necessary Committees appointed by the Department Commander.

Section 3: The Department Commander shall be a member of all Committees, ex-officio, and shall be entitled to vote and *their* presence shall be counted for the purpose of constituting a quorum.

Section 4: The Department Commander shall appoint, prior to the convening of the Department Convention, a Committee on Credentials; said Committee to consist of three (3) comrades entitled to vote at the said Convention. The Committee shall examine and report to the Department Convention on the credentials of members present and shall determine which delegates are entitled to participate in the Convention.

Section 5: Southern Conference Committee: The Department Commander will cast the delegate strength voting at the Southern Conference determined by the delegates at the Department Convention. If the Department's decision cannot be honored by the delegates due to unforeseen circumstances the delegates at the Southern Conference will caucus to determine the allocation of the delegate strength.

Section 6: Additional Committees: The Department Commander may appoint such additional Committees as *they* may deem to be desirable to carry on and expedite the work of the organization, and also designate such Committee as may be authorized by the Department Convention enactment.

ARTICLE IX
Department Convention Reports and Resolutions

Section 1: At each annual Convention all Department Officers and all Committee Chairman shall submit their written reports. Officers' reports need not be submitted in writing at Council of Administration meetings.

Section 2: If any Officer or Committee Chairman submits a report containing any specific recommendation, a resolution covering such specific recommendation shall be submitted therewith.

Section 3: The quorum for the Convention business shall constitute not less than one (1) delegate from at least fifteen (15) Posts in the Department.

Section 4: All resolutions except as provided for in Section 5, hereof shall be prepared in Quadruplicate and shall be in the hands of the Department Adjutant thirty (30) days prior to the convening of the Department Convention. Said resolutions are to be printed in the West Virginia Veteran Newsletter for consideration by the Posts prior to the Convention. All such Resolutions shall be referred by the Department Commander to the appropriate Committee for study and recommendation to the Convention body.

Section 5: Resolutions of appreciation, sympathy, and condolence may be presented at any time during the Department Convention.

Section 6: All resolutions, other than resolutions of appreciation, sympathy and condolence, presented after the convening of the Department Convention must have the unanimous approval of the Department Convention in regular session before any such resolution may be considered by the appropriate Committee, provided, however, the subject matter which has arisen to be classified as emergency resolutions may be presented, but must be approved by the Resolutions Committee before presentation.

ARTICLE X
Department Tax and Finance

Section 1: The Department Per Capita Tax (Department Dues):

(a) **Continuous Members:** Shall be twelve dollars and twenty-five cents (\$12.25) per year.

(b) **Department Members at Large:** Shall be nineteen dollars (\$19.00) per annum on each member in good standing as a member at large.

(c) **Life Members:** Life Member payout shall be determined by the National Headquarters Life Membership Board of Trustees and approved by the National Council of Administration.

Section 2: All Department Officers handling funds of the Veterans of Foreign Wars of the United States shall be bonded with a good and solvent indemnity company, as surety in a sum at least double the average amount of funds and/or the value of property for which, so far as can be anticipated, they may be accountable during the year. In case of delinquencies due Department Headquarters, action

shall be taken at once by the proper officials to bring about a speedy and complete settlement.

Section 3: The Department Quartermaster shall set up a Department Convention Fund and all Department delegate registration fees and Post Commander fees received shall be placed therein and used and expended only for expenses incurred and expenditures made in the holding of an annual Department Convention.

ARTICLE XI Publication and Official Notices

Section 1: General Orders of the Department Commander and official notices of the Department in printed form and/or electronically published shall be full and lawful notice to all officers and members of the Department for all purposes.

ARTICLE XII

These Bylaws may be amended or altered only by the Department Convention and then only by a vote in favor thereof by two-thirds (2/3rds) of the present and voting delegates to the Department Convention as reported by the Department Credentials Committee; provided, however, that any such proposed amendment first has been submitted by the Department Adjutant to all Posts, District Commanders, and Department Officers, by publishing in either hard copy or electronic form forty five (45) days prior to the convening date of said Department Convention or by publishing same in the West Virginia Veteran Newsletter at least once, thirty (30) days prior to the convening date of said Department Convention.

ARTICLE XIII

All Bylaws heretofore enacted and not embodied in these Bylaws are hereby repeated, and there shall be no provisions in these Bylaws in conflict with the National Congressional Charter, Bylaws and Manual of Procedure, and if such is in conflict with the National Congressional Charter, Bylaws and Manual of Procedure, those in conflict therewith, shall be null and void.

ARTICLE XIV

Two or more Posts in the Department of West Virginia may consolidate as provided for in Section 209 of the National Bylaws and Manual of Procedure.

ARTICLE XV

Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws, the latter shall prevail and be binding upon this Department as though written herein.

RICHARD HOMAN, Chairman

Approved: For the Commander-In-Chief
7/03/1953 JULIAN DICKINSON, Adjutant General

Amended to June 30, 2002 Amended to September 19, 2014
Amended to June 30, 2003 Amended to June 25, 2015
Amended to June 30, 2005 Amended to June 16, 2018
Amended to June 30, 2006 Amended to June 14, 2019
Amended to June 30, 2007 Amended to June 19, 2021
Amended to June 30, 2008 Amended to June 18, 2022
Amended to June 30, 2011 Amended to June 22, 2024
Amended to June 30, 2013



REVIEWED OCT 11 2024
FOR THE COMMANDER-IN-CHIEF

Brian Walker
ASSISTANT ADJUTANT GENERAL

BY *[Signature]*, DIRECTOR
ADMINISTRATIVE OPERATIONS