

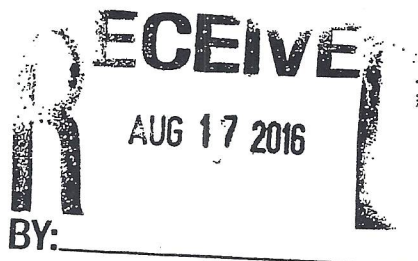


VETERANS OF FOREIGN WARS OF THE UNITED STATES

www.vfw.org | info@vfw.org

August 12, 2016

Allan Stone, Commander
Department of Colorado, VFW
1400 Carr St.
Lakewood, CO 80214-6102



Re: Proposed Amended By-Laws

Dear Comrade Stone:

Receipt is acknowledged of the proposed revised By-Laws for the Department of Colorado VFW, submitted for review of the Commander-in-Chief in accordance with Section 502 of the Manual of Procedure.

These documents have been designated amended By-Laws to reflect their replacement of previously reviewed By-Laws.

A review of the proposed amended By-Laws discloses that they are in substantial compliance with the Congressional Charter, By-Laws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States; however have been modified for compliance. To preclude any misunderstanding of the additions and/or deletions, an informal document has been attached.

A copy of the reviewed amended By-Laws has been retained for our files and two sets herewith returned.

Sincerely,

David E. Prohaska, Director
Administrative Operations

DEP: cl
Enc: Revised By-Laws (2)

NO ONE DOES MORE FOR VETERANS.



Veterans of Foreign Wars

JUL 11 2016

Administrative Operations-GM

Department of Colorado
VETERANS OF FOREIGN WARS OF THE UNITED STATES
1400 CARR STREET TELEPHONE: (303) 421-1630
LAKEWOOD, COLORADO 80214

July 8, 2016

John E. Hamilton
Adjutant General
VFW National Headquarters
406 W 34th Street
Kansas City, MO 64111

Dear John,

Enclosed are ~~one original and~~ one copy of the By-Laws for Department of Colorado Veterans of Foreign Wars of the United States.

These By-Laws have been reviewed and approved by the Council of Administration for the Department of Colorado during the 2016 Department Convention, and are being submitted to the Commander-in-Chief for his approval.

Bruce R. Dolan, Adjutant/Quartermaster
Department of Colorado
Veterans of Foreign Wars

BRD:rif
Encl. (Post By-Laws)

NATIONAL BY-LAWS/MANUAL OF PROCEDURE CONFLICT

DEPARTMENT OF COLORADO

Article II

Add "charitable"

Replace "widows" with "surviving spouses"

Reason: To conform to Section 230102 of the Congressional Charter.

Article V Section 1

Remove "District Commanders"

Reason: To conform to Section 516 of the National By-Laws. District Commanders help comprise the governing body and composition of the Department Convention as outline in Section 504 (3) of the National By-Laws.

Article V Section 3

Replace with "Any member in good standing in a Post in the Department shall be eligible to any office in the Department, provided, no member shall hold two elective Department offices at the same time, but may hold one elective and one or more appointive offices. Elected committee members are not Department officers and accordingly may concurrently hold an elected Department Office. Department officers, elected or appointed, may be eligible to hold office in a higher or lower body, and such offices may be held concurrently. District Commanders shall be ineligible to simultaneously hold an elected Department office."

Reason: To conform to Section 515 of the National By-Laws.

Article XVII Section 2 *New

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

Reason: To conform to Section 502 of the National By-Laws.

**AMENDED BY-LAWS OF
THE DEPARTMENT OF COLORADO
VETERANS OF FOREIGN WARS OF THE UNITED STATES**

PREAMBLE

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

NAME and JURISDICTION

ARTICLE I - - Section 1. Name: This subdivision of the Veterans of Foreign Wars of the United States shall be known as the Department of Colorado, Veterans of Foreign Wars of the United States, hereinafter referred to as "Department".

Section 2. Jurisdiction: The jurisdiction of this Department shall conform to the territorial limits of the State of Colorado.

OBJECTS

ARTICLE II - - The objects of this Association 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 the institution of American freedom; to preserve and defend the United States from all her enemies whomsoever; to coordinate the work of the several Posts of the Veterans of Foreign Wars of the United States.

SUBORDINATION and AUTHORITY

ARTICLE III - - Section 1. Authority: 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 and By-Laws adopted by said National Convention, mandates of the National Council of Administration and orders of the Commander-in-Chief.

Section 2. Subject to the provisions of the Congressional Charter, By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States, the government of this Department shall be vested in a Department Convention, Department Council of Administration and lawful orders of the Department Commander.

HEADQUARTERS

ARTICLE IV - - Section 1. The permanent Headquarters of this Department shall be located in the Denver Metropolitan area, such area consisting of the Counties of Adams, Arapahoe, Denver and Jefferson.

Section 2. All orders emanating from Department Headquarters shall be in writing, or in electronic form.

OFFICERS and DUTIES

ARTICLE V - - Section 1. The officers of the Department shall be as follows: (a) Elective: Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain.

(b) Appointive: Adjutant, Chief of Staff, Inspector, Service Officer, Legislative Officer, Public Relations Officer, Employment Officer, Sergeant-at-Arms, Color Guard, Bugler, Guard, Historian, Patriotic Instructor, Liaison Officer and such other officers and assistants as may be deemed appropriate to properly conduct the affairs of the Department. With respect to salaried officers, the appointment shall be made subject to the approval of the majority of the Department Council of Administration.

(c) The Department Commander retains authority to remove officers, committee chairmen and committees appointed by the Commander, at any time, provided, however, that salaried officers appointed by the Commander, may only be removed as prescribed in Section 520.

(d) The Department Adjutant will be responsible for the interview process for all new employees that are to be hired by the Department. The Department Adjutant will use any additional individuals he/she deems necessary to assist with the interview process. Upon completion of the interviews, the Adjutant will present the best possible candidate to the State Commander. The State Commander will then either appoint the individual, per Art V Sec 516 in the Manual of Procedure, or discuss further with the Adjutant about any other possible candidates.

Section 2 The duties of all officers shall be those prescribed in Section 518 of the Manual of Procedure of the Veterans of Foreign Wars of the United States, as it may from time to time be amended.

Section 3 Any member in good standing in a Post in the Department shall be eligible to any office in the Department, provided, no member shall hold two elective Department offices at the same time, but may hold one elective and one or more appointive offices. Elected committee members are not Department officers and accordingly may concurrently hold an elected Department Office. Department officers, elected or appointed, may be eligible to hold office in a higher or lower body, and such offices may be held concurrently. District Commanders shall be ineligible to simultaneously hold an elected Department office.

Section 4 The nomination of all Department Officers, their election or appointment and terms of office shall be in accordance with the provisions of the National By-Laws. (Art V, Sec 517, Term of office)

DEPARTMENT CONVENTION

ARTICLE VI - - Section 1. (a). Time: The Annual Convention of the Department shall be held no earlier than 90 days prior to the convening of the National Convention and shall be concluded no less than thirty (30) days prior to the conclusion of the National Convention. (Art V, Sec 503, National By-Laws)

(b) Place: The place in which each Department Convention is held shall be designated by the time and place committee.

Section 2. Nothing in this Article shall prevent the Department Council of Administration from changing the location of a Convention as designated by the time and place committee, should, in the opinion of the Council, it be deemed in the best interests of the Department.

Section 3. Entitlement to and voting at a Department convention shall be in accordance with the provisions of the National By-Laws.

Section 4. COMPOSITION: The Department Convention shall consist of:

- (a) Commander-in-Chief and Past Commanders-in-Chief who are members in good standing of a Post within the Department.
- (b) The National Council Member, the Department Commander and all Past Department Commanders who are in good standing in a Post within the Department; all elective Officers of the Department, Chief of Staff, Inspector and the Adjutant.
- (c) All District Commanders throughout the Department. In the absence of the District Commander, the District Senior vice Commander, or in his absence, the District Junior vice Commander may be registered and function as a member of the Convention.
- (d) All Post Commanders throughout the Department. In the absence of the Post Commander, the Post Senior Vice Commander, or in his absence, the Post Junior Vice Commander may be registered and function as a member of the Convention.
- (e) Delegates elected by the Post in the ratio of one delegate for each 30 members or fraction thereof in good standing

ORGANIZATION

ARTICLE VII - - Section I. The several constituted bodies of this Association shall be subordinate to and governed by the By-Laws, rules, regulations and lawful orders of the National Organization and the By-Laws, rules, regulations and lawful orders of this Department, and shall consist of the following:

- (a) All chartered Posts of the Veterans of Foreign Wars of the United States within the State of Colorado.
- (b) All chartered Districts of the Veterans of Foreign Wars of the United States within the State of Colorado.

COUNCIL OF ADMINISTRATION

ARTICLE VIII - - Section 1. The Council of Administration shall consist of the Commander, the Senior Vice Commander, the Junior Vice Commander, the Adjutant, the Quartermaster, the Judge Advocate, the Chief of Staff, the Inspector, the Surgeon, the Chaplain and Thirteen (13) District Commanders.

Section 2 (a). The District Commanders shall consist of one member from each of the Districts hereinafter created within the Department. Said District Commanders shall be elected for a term of one year at District Conventions to be held prior to the Department Convention in accordance with the provisions of the National By-Laws.

- (b) The District Commanders of each said Districts shall be the Chief Representative of the District. In the absence of the District Commander, the District Senior Vice Commander (and in the absence of the Commander and Senior Vice Commander of the District), the District Junior Vice Commander may function as a member of the Department of the Council of Administration.

Section 3. The retiring Department Commander shall also be a member of the Department Council of Administration with a vote until such time as another Department Commander retires, unless the incoming Department Commander retires before the expiration of one year, in which case the retiring Department Commander shall serve in the Department Council of Administration until the next Department Convention.

Section 4. The duties and powers of the Department Council of Administration shall be those as provided in Section 522, of the National By-Laws, Veterans of Foreign Wars of the United States, as it may from time to time be amended.

REPORTS AND RETURNS

ARTICLE IX - - Section 1. In addition to specific provisions of the National By-Laws, all elective officers shall make to the Department Convention, at each stated meeting, full and complete reports in writing of the operation of their office, and when retiring from office shall deliver to their successors all monies, books and other property of the Department in their possession or under their control.

ARTICLE X - - Section 1. The annual per capita tax of the Department shall be the sum of Nine Dollars (\$9.00), and same shall be paid in accordance with the provision of the National By-Laws and lawful orders.

Section 2. A delegate's registration fee, an amount which will be set by the Council of Administration, shall be paid by each Post for each and every delegate (1 delegate for every 30 members or fraction thereof (Art II, Sec 222(b)) to which each Post shall be entitled. The delegates and alternates must be a member in good standing and a member of the Post they are a delegate of. The Department Quartermaster shall verify the delegate strength of each Post using the month-end membership report at the end of April and will adjust Post delegates as needed prior to the convening of the Department Convention, (Art II Sec 222(b)). No Post shall be so charged during the first year of its existence. The delegate registration fee as herein mentioned shall be forwarded by each and every Post, regardless of the number of delegates and/or alternates present at an annual Department Convention and must be in the hands of the Department Quartermaster no later than Fifteen (15) Days before the convening of the Department Convention each year. Posts failing to forward the full delegate registration fee shall be considered delinquent and in arrears. The Department Quartermaster shall set up a Department Convention Fund and all Department delegate registration fees received by him shall be placed herein and only used and expended as and for expenses incurred and expenditures made in the holding of an Annual Department Convention.

BUDGET and FINANCE

ARTICLE XI - - Section 1. Department Council of Administration shall in accordance with the provisions of the National By-Laws approve and fix a budget of estimated receipts and disbursements for the ensuing year.

(a) The Department Quartermaster shall prepare a tentative budget for the financial operations of the Department, for the ensuing year in accordance with the provisions of Section 518(4) (k) of the Manual of Procedure for submission to the Department Council of Administration for consideration at its first meeting following the Department Convention.

(b) All Council Members shall receive, for their review, a copy of any proposed budget at least two weeks before it is presented for consideration at a Council of Administration meeting.

Section 2. No officer or group of officers shall incur expenditure or in any manner obligate the Department without first having received proper authority.

Section 3. Each accountable officer of this Department shall be bonded in accordance with Article VII Sec 703 of the National By-Laws of the Veterans of Foreign Wars of the United States. The annual accounting of such offices shall be audited as directed by the Council of Administration.

Section 4. When a motion or resolution concerning the expenditures of funds is adopted by the Department Convention, such motion or resolution shall be accepted as an advisory recommendation to the Department Council of Administration meeting called to adopt its annual budget of estimated income and anticipated expenditures for the ensuing year; and if considered favorable by the Council of Administration shall be included in the annual Department budget as an anticipated expenditure.

Section 5. Department Building Fund: There is hereby created a separate fund to be known as the Department Building Fund to be used for the purpose of providing for a Department Headquarters Building. All funds heretofore or hereafter contributed to such fund and all earnings thereon shall be used for no other purpose.

ORDER of BUSINESS

ARTICLE XII. - - The order of business of the Department Convention shall be:

1. Opening of the Convention in due form
2. Roll call of officers
3. Adopt Convention rules as appropriate
4. Appointments of Committees.
5. Report of officers, beginning with that of Department Commander
(Reports of Department officers may be submitted in printed form to assembly Delegates).
6. Reports of Committees.
7. New Business.
8. Election and Installation of Officers.
9. At the second and each succeeding session, a resume of the preceding session may be furnished the Delegate Assembly.
10. This order of business may be suspended at any time by a two-thirds' vote of the Delegate Assembly at Convention, to be taken without debate.
11. Closing of Convention in due form.

RITUAL

ARTICLE XIII - - **Section 1.** The ritual to be used by this organization and subordinate bodies shall be as prescribed by the National Congressional Charter and By-Laws of the Veterans of Foreign of the United States and shall not be deviated from in any particular.

MEN'S AUXILIARY

ARTICLE XIV- -**Section 1.** A Post in the Department may form a Men's Auxiliary in accordance with Article XIII of the National By-Laws: Manual of Procedures, and the rules established by the Department.

Section 2. The annual per capita tax of the Department for each Men's Auxiliary member shall be 1/2 of the annual dues collected by the Post Men's Auxiliary, but shall not exceed Ten Dollars (\$10.00) per annum, and shall be paid in accordance with the provisions of the National By-Laws and lawful orders.

Section 3. Any Men's Auxiliary formed by a Post in the Department must comply with all requirements of the National By-Laws, Manual of Procedures, Department By-Laws, and rules established by the Department, and approved by the Council of Administration.

DEPARTMENT DISTRICTS

ARTICLE XV - Section 1. The Department of Colorado, Veterans of Foreign Wars of the United States, is hereby divided into Thirteen (13) Districts to consist of the following counties and or portions thereof. When a new Post is started, the Council of Administration will determine which District the Post will be placed in according to the Department By-Laws.

DISTRICT 1

City and County of Denver

DISTRICT 2

Custer
Fremont
Huerfano
Las Animas
Pueblo

DISTRICT 3

Adams (city of Brighton only)
Boulder
Broomfield
Larimer
Weld

DISTRICT 4

Logan
Morgan
Phillips
Sedgwick
Washington
Yuma

DISTRICT 5

Elbert
El Paso
Teller

DISTRICT 6

Baca
Bent
Crowley
Otero
Prowers

DISTRICT 7

Alamosa
Conejos
Costilla
Mineral
Rio Grande
Saguache

DISTRICT 8

Chaffee
Eagle
Jefferson (town of Conifer only)
Lake
Park
Summit

DISTRICT 9

Grand
Jackson
Moffat
Rio Blanco
Routt

DISTRICT 10

Adams (except city of Brighton)
Arapahoe (except town of Deer Trail)
Clear Creek
Douglas
Gilpin
Jefferson (except town of Conifer)

DISTRICT 11

Delta
Garfield
Gunnison
Hinsdale
Mesa
Montrose (City of Montrose only)
Ouray
Pitkin

DISTRICT 12

Archuleta
Dolores
La Plata
Montrose (except city of Montrose)
Montezuma
San Juan
San Miguel

DISTRICT 13

Arapahoe (town of Deer Trail Only)
Cheyenne
Kiowa
Kit Carson
Lincoln

REHABILITATION and SERVICE COMMITTEE

ARTICLE XVI - - Section 1 . Composition: State Commander, State Senior Vice Commander, three (3) immediate Past State Commanders of the Department, Department Service Officer and one member to be appointed by the State Commander. The State Commander may designate the Chairman and other officers of the committee as he may deem appropriate.

Section 2. Meetings shall be held at the call of the Chairman or State Commander.

Section 3. The Rehabilitation and Service Committee shall have administrative authority over the rehabilitation and service work of the Department, subject to the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of Colorado, and the direction of the Council of Administration. There shall be established and maintained, Rehabilitation and Service accounts, from which funds may be disbursed for rehabilitation and service work of the Department. This includes administrative services, service office expenses and salaries, educational programs and materials, assistance to hospitals and nursing homes, public relations programs concerning veterans benefits and their families, grants to Post Relief funds, grants to the National Home and such other related purposes as the Council of Administration may deem to be in the best interests of the Veterans of Foreign Wars and its membership.

Section 4. The Department Quartermaster shall be the Treasurer and custodian of the Rehabilitation and Service accounts per Article V Sec 518(a) (4) (b) of the National By-Laws and Manual of Procedure.

ADMENDMENTS

ARTICLE XVII - - Section 1. Any proposed amendment to these By-Laws may be acted upon at any Department Convention provided that a copy of the proposed amendment is given to the Council of Administration, sixty days prior to the date of the Department Convention. The Department Adjutant shall, at least 30 days prior to the convening date of the Department Convention, notify all Post Commanders of the Department of the proposed amendment. Any proposed amendment submitted per the Department By-Laws shall be declared adopted upon two-thirds (2/3) yes vote. No amendment shall be effective until the amendment has been approved by the Commander-in-Chief.

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

Peter Buchanan
State Commander
Department of Colorado

Bruce Dolan
State Adjutant
Department of Colorado



REVIEWED AUG 12 2016
FOR THE COMMANDER-IN-CHIEF

KEVIN C. JONES
ASSISTANT ADJUTANT GENERAL
BY DAVID E. PROHASKA, DIRECTOR
ADMINISTRATIVE OPERATIONS