

Manual changes from Oct. '10 and March '11

Sec. 210—Surrender of Charter.

A Post may surrender its charter in accordance with the procedures herein set forth as follows:

1. A motion to consider surrendering a Post charter shall be made and approved at a stated meeting of the Post. If approved, the Post Commander shall immediately provide to the Department Commander a list describing all assets and liabilities of the Post.

2. A Post may then, after at least twenty (20) days written notice to the Department Commander, District Commander and members of the Post, vote to surrender the charter upon a two-thirds (2/3) vote of the members present and voting at a stated meeting.

3. The Department Commander shall be notified immediately after the meeting, in writing, of the outcome of the vote to surrender the charter of a Post. If approved, the Department Commander shall within thirty (30) days, request that the Commander-in-Chief cancel the charter. Pending such cancellation the Post shall not dispose of any assets.

Sec. 217—Nomination, Election, Installation and Term of Office.

Order of nominations and elections. The order of nominations and elections shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate, Surgeon and Trustee(s).

Nomination Post officer nominations may be opened at a meeting prior to the election.

A member must be nominated to be elected. Any nominee shall have the opportunity to decline nomination for the office to which he has been nominated before nominations are closed. A member making the nomination of an absentee for any office shall have presented to the Adjutant, in writing, the consent of the member being nominated prior to the closing of nominations. Nominations shall remain open until the Post election takes place.

Election. Post officers shall be elected in **May**.

Balloting: Shall be conducted by open vote or written or printed ballot at a regular Post meeting.

A majority vote of all votes cast, except where otherwise designated, shall be necessary to elect. If there be no election on the first ballot, the name of the comrade receiving the lowest number of votes shall be dropped and so on in successive ballots until an election is made.

Challenging Election Results. If irregularities are claimed with respect to the election to any office, such challenge must be made in a writing containing specific details concerning the irregularities, signed by the challenger, and forwarded to the Department Commander, mailed no later than ten (10) days after the election.

Installation of Officers. Post officers shall be installed before the adjournment of the meeting at which elected. The installation shall be conducted by a member in good standing who holds or has held an office equal to or higher than Post Commander. The Post Commander-elect shall select the installing officer. An officer who may be absent for good and sufficient reason or cause shall be installed at any succeeding regular or special meeting of a unit of the organization within sixty (60) days of the date of installation. If not then installed, the office will automatically become vacant.

Sec. 221—Voting.

In the conducting of Post elections or other routine business, each Post member in good standing present at the meeting shall be entitled to one vote.

Sec. 222—Delegates , District Convention & Meetings ,Department and National Conventions.

By the passage of a motion before balloting, candidates for delegates and alternates may be voted for on the same ballot. The member(s) receiving the highest number of votes shall be declared delegates and alternates.

(a) Post delegates and alternates to the District shall be elected at a regular meeting of the Post held not less than thirty (30) days prior to the District Convention with one delegate and one alternate for each thirty members or fraction thereof in good standing in the Post at the time of the election. 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.

(b) Post delegates and alternates to the Department Convention shall be elected at a regular meeting of the Post held not less than thirty (30) days prior to the Department Convention with one delegate and one alternate for each thirty members or fraction thereof in good standing in the Post at the time of the election. The Department Quartermaster shall verify the delegate strength of each Post using the month-end membership report immediately prior to the convening of the convention or as the Department By-Laws so provide. Delegates and alternates of each Post shall be members in good standing in the respective Post within the Department.

Where the Department By-Laws so provide, a delegate registration fee shall be paid by each Post for every delegate to which each Post shall be entitled, based upon and as shown by the Department Quartermaster's records as of not less than thirty (30) days prior to the convening of the convention, with such additions as may be necessary by new posts only. The delegate registration fee shall be forwarded by every Post regardless of the number of delegates present at the annual Department Convention, and must be in the hands of the Department Quartermaster not later than fifteen (15) days before the convening of the Department Convention. 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 therein and used and expended only as and for expenses incurred and expenditures made in the holding of an annual Department Convention.

(c) Post delegates and alternates to the National Convention shall be elected at the last May meeting of each year with one delegate and one alternate for each thirty members or fraction thereof in good standing in the Post at the time of the election. Delegate strength of each Post shall be based upon the Quartermaster General's records as of June 30, with such additions as may be necessary by new posts only. Delegates and alternates shall be members in good standing in their respective posts. Delegates shall not be recognized at the National Convention unless they personally register their completed delegate card with the National Credentials Committee.

Posts instituted after delegate strength has been determined, but prior to convening date of the respective convention or district meeting, shall on the day of institution, elect one delegate and one alternate for each thirty names or fraction thereof according to the number of names listed on the charter application.

Delegates will be issued credentials at the conventions. Delegates and alternates to District, Department and National conventions shall be recognized only when posts have complied with the provisions of the By-Laws, Manual of Procedure, Ritual and convention rules.

Sec. 417—Nomination, Election, Installation and Term of Office.

Order of nominations and elections. The order of nominations and elections shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate, Surgeon and Trustee(s).

Nomination. A member may be nominated and elected although not present at the meeting. A member making a nomination of an absentee for any office shall have presented to the Adjutant, in writing, the consent of the member being nominated prior to the closing of nominations. Any nominee shall have the opportunity to decline nomination for the office to which he has been nominated before nominations are closed. Nominations shall remain open until the District Convention is ready to vote.

Election. In balloting for District officers, a majority of all the votes cast shall be necessary for election. If there is no election on the first ballot, the name of the comrade receiving the lowest number of votes shall be dropped and so on in successive ballots until an election is made.

Challenging Election Results: If irregularities are claimed with respect to the election to any office, such challenge must be made in a writing containing specific details concerning the irregularities, signed by the challenger, and forwarded to the Department Commander, mailed no later than ten (10) days after the election.

Installation. District officers shall be installed before the adjournment of the meeting at which elected. The installation shall be conducted by a member in good standing who holds or has held an office equal to or higher than District Commander. The District Commander-elect shall select the installing officer. An officer who may be absent for good and sufficient reason or cause shall be installed at any succeeding regular or special meeting of a unit of the organization, within sixty (60) days of the date of installation. If not then installed, the office will automatically become vacant.

Sec. 510—Surrender of Charter.

Voluntary Surrender. A Department may voluntarily surrender its charter only upon a vote at a Department Convention conducted in accordance with the procedures herein set forth. A proposition to surrender the charter must be made at a meeting of the Department Council of Administration at least four (4) weeks before the convening of the Department Convention and due notice of the proposition must be given, in writing, to every Post in the Department and to the Commander-in-Chief. If a majority of the Posts vote to surrender the charter, the Department Commander shall, within thirty (30) days, request that the Commander-in-Chief cancel the charter, unless during such thirty (30) day period, the Department Commander receives a demand in writing from two-thirds (2/3) of the Posts in the Department to continue the Department.

Sec. 517—Nomination, Election, Installation and Term of Office.

Order of nominations and elections. The order of nominations and elections shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate and Surgeon. The elective Department officers shall be nominated and elected by voice vote or roll call at the annual Department Convention.

Nomination. A member may be nominated and elected although not present at the Department Convention. A member making a nomination of an absentee for any office shall have presented to the Adjutant, in writing, the consent of the member being nominated prior to the closing of nominations. Any nominee shall have the opportunity to decline nomination for the office to which he has been nominated before nominations are closed. Nominations shall remain open until the Department Convention is ready to vote.

Election. In balloting for Department officers, a majority of all the votes cast shall be necessary for election. If there is no election on the first ballot, the name of the comrade receiving the lowest number of votes shall be dropped and so on in successive ballots until an election is made. District Commanders shall be ineligible to simultaneously hold an elected Department office.

Challenging Election Results: If irregularities are claimed with respect to the election to any office, such challenge must be made prior to the close of election unless other-wise prescribed in the Department Convention Rules.

Installation. Department officers shall be installed before the adjournment of the convention at which elected. The installation shall be conducted by a member in good standing who holds or has held an office equal to or higher than Department Commander. The Department Commander-elect shall select the installing officer. An officer who may be absent for good and sufficient reason or cause shall be installed at any succeeding regular or special meeting of a unit of the organization, within sixty (60) days of the date of installation. If not then installed, the office will automatically become vacant.

Sec. 518—Officers: Duties and Obligations.

(a) Officers.

(1) **Commander.** Among the duties of a Department Commander, he shall:

a. Preside at all meetings of the Department conducting such conventions and meetings in accordance with Article X of the By-Laws and Manual of Procedure and other applicable parliamentary procedures.

b. Enforce strict observance of the laws and usages of this organization, including Department By-Laws and the Congressional Charter, National By-Laws, Manual of Procedure and Ritual and all lawful orders from proper authorities.

c. Insist that Department business and activities are conducted in such a manner that they do not violate any applicable governmental law, ordinance or regulation nor bring or tend to bring dishonor or embarrassment on the Department, its members or the Veterans of Foreign Wars of the United States.

d. Decide all questions of law and usage in the Department, subject to an appeal pursuant to these By-Laws.

e. Immediately after entering upon his office, appoint an Adjutant, Chief of Staff, Inspector and Service Officer, and all other officers, committee chairmen and committees not otherwise provided for.

f. Approve all disbursements of the funds properly authorized the Department Council of Administration.

g. Assure that the office of Department Quartermaster is bonded according to Section 703 of these By-Laws.

h. Assure that all monies due the National Headquarters and received by the Department are forwarded promptly.

i. Assure that all reports are correctly prepared and promptly forwarded and that all the business of the Department is handled with dispatch.

j. Assure that eligible veterans are encouraged to join and maintain membership.

k. Assure the books and records of the Department are properly audited.

(2) **Senior Vice Commander.** The Department Senior Vice Commander shall assist the Commander in preserving order, preside in the absence of the Commander, provide such advice and assistance as may be required and perform such other duties as are usually incident to such office or may from time to time be required by the laws and usages of the organization or lawful orders from proper authority.

(3) **Junior Vice Commander.** The Department Junior Vice Commander shall assist the Commander in preserving order, preside in the absence of the Commander and Senior Vice Commander, provide such advice and assistance as may be required and perform such other duties as are usually incident to such office or may from time to time be required of him by the laws and usages of the organization or lawful orders from proper authority.

(4) **Quartermaster.** Among the duties of the Department Quartermaster, he shall:

a. Qualify and secure a bond in a sum at least equal to the amount of the liquid assets for which he may be accountable in accordance with Section 703.

b. Collect all monies due the Department and have charge of the funds, securities and other property of the Department, all of which shall be placed in his care. He shall be the accountable officer of the Department and the Treasurer of all committees handling funds.

c. Disburse funds as properly authorized by the Department using accepted banking practices. Unless otherwise provided for in Department By-Laws, all disbursements of Department funds shall bear the signature of the Quartermaster.

d. Receive annual membership dues (admission fees if applicable) and life membership fees and forward the National dues and life membership fees immediately to National Headquarters as prescribed in Section 104.

e. Provide the auditors with all records, files and statements required or necessary for the preparation of the Department report of audit.

f. Maintain a dues reserve fund as prescribed in Section 717 of the By-Laws and Manual of Procedure.

g. The books and records of the Quartermaster shall be maintained in a legible and uniform format. Record keeping by electronic means may be used, provided a back-up and a hard copy is maintained. Books and records shall be available for inspection by authorized officers and Department members at all reasonable times. Reconcile and verify all transactions listed on all bank statements to assure the accuracy of Department records. Unless authorized by the Department to remove such books and records from its facilities, all such books and records shall be kept at the Department facilities.

h. He shall provide access and transfer to his successor in office or anyone designated by higher authority, without delay, all books, records, papers, monies, securities and other property of the Department in his possession or under his control.

i. Comply with, and perform all duties required of him by the laws and usages of this organization, applicable By-Laws and order's from lawful authority and perform such other duties as are incident to such office.

j. Report on transactions concerning receipts and expenditures, for any given period, at a regular or special meeting of the Department.

k. **Budget.** Prepare a tentative balanced budget for the financial operations of the ensuing year. The budget once adopted by the Department Council of Administration shall be forwarded to the Adjutant General within 15 days.

l. **Reports.**

1. Prepare for the Department Convention a complete financial report, membership report, a list of Posts in good standing and the number of delegates to which each Post is entitled.

2. Prepare a quarterly and final year-end financial report for the Department Council of Administration.

3. Forward the final year-end financial report and a copy of Form 990 filed with the IRS to the Adjutant General.

4. Prepare other reports as directed by the Department Commander, Council of Administration or Department Convention.

m. Comply with and perform all other duties required of him by the laws and usages of this organization, the Department Convention, Department By-Laws, Department Commander and Department Council of Administration, the National Convention and the National By-Laws, Manual of Procedure, Ritual and lawful orders from proper authority and perform such other duties as may be incident to the office.

(5) **Adjutant.** Among the duties of the Department Adjutant, he shall:

a. Be the official corresponding officer for the Department and shall attest to all official communications and reports with his signature.

b. Prepare reports as directed by the Department Commander, Council of Administration or Department Convention.

c. Maintain the books and records in a legible and uniform format. Record keeping by electronic means may be used, provided a back-up and a hard copy is maintained. Books and records shall be available for inspection by authorized officers and Department members at all reasonable times. Unless authorized by the Department to remove such books and records from its facilities, all such books and records shall be kept at the Department facilities.

d. **Records.** Maintain a roster of the following:

1. Department Officers and Committees.

2. Districts and County Councils (if applicable) to include officers, committee chairmen, and meeting times and places.

3. Posts, Post Officers, meeting times and places, membership data and other information provided by the Department Quartermaster.

e. **Files.**

1. Maintain such records and correspondence as prescribed by National Headquarters and the Department Council of Administration.

2. Prepare and maintain minutes of each Council of Administration meeting and Department Convention after correction and approval.

3. A file containing a copy of the proof of eligibility submitted by officers pursuant to Section 516.

f. Maintain a current copy of the By-Laws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States and copies of the By-Laws of the Department, District and County Council (if applicable), and all Posts within its jurisdiction.

g. Transfer to his successor, without delay, all books, papers, records, monies and other records and property of the Department in his possession or under his control.

h. Comply with and perform all duties required of him by the laws and usages of this organization, applicable By-Laws and orders from lawful authority and perform such other duties as are incident to such office.

(6) **Chaplain.** The Department Chaplain shall, during the annual Department Convention, see that fitting tribute is paid to our departed comrades. He shall perform such other duties as may be usually incident to his office or as may from time to time be required of him by the laws and usages of the organization or lawful orders from proper authority.

(7) **Judge Advocate.** The Department Judge Advocate shall give the Department Commander, Council of Administration and Department Convention such legal assistance, incident to his office and perform

such other duties as may from time to time be required by the laws and usages of the organization or lawful orders from proper authority.

(8) **Chief of Staff.** The Department Chief of Staff shall perform the duties incident to his office as the Department Commander or Department Council of Administration may require and such other duties as may be from time to time required of him by the laws and usages of this organization or orders from proper authority.

(9) **Inspector.** The Department Inspector shall:

1. Ensure each District, County Council (if applicable) and Post are inspected in accordance with Department and National guidelines.
2. Receive from each District Inspector all completed inspections
3. Review and forward each report and submit recommendation(s) to the Department Commander
4. Shall perform such other duties as may be incident to the office or may be from time to time required by the laws and usages of the organization or on lawful orders of proper authority.

(10) **Surgeon.** The Department Surgeon shall perform the duties properly pertaining to his office. The Department Surgeon shall assist Post Surgeons, in an advisory capacity, and promote statewide health programs. He shall perform such other duties as may be incident to his office or as may from time to time be required by the laws and usages of this organization or lawful orders from proper authority.

(11) **Service Officer.** The Department Service Officer shall assist the members of the Department, their widows and orphans and other worthy cases in obtaining rightful benefits from the federal or state governments. His work shall be performed in accordance with policies established by the National Veterans Service Advisory Committee. He shall perform such other duties as are incident to his office or may be from time to time required by the laws and usages of this organization or as may be directed by proper authority.

(12) **Other Officers.** Other officers appointed by the Department Commander under the authority of Section 516, National By-Laws, shall perform the duties incident to their respective offices, or as the Department Commander may direct.

Sec. 617—Nomination, Election, and Term of Office.

Order of nominations and elections. The order of nominations and elections shall be Commander-in-Chief, Senior Vice Commander-in-Chief, Junior Vice Commander-in-Chief, Quartermaster General, Chaplain, Judge Advocate General and Surgeon General. The elective National officers shall be nominated and elected by voice vote or roll call at the annual National Convention.

Nomination. A member may be nominated and elected although not present at the National Convention. A member making a nomination of an absentee for any office shall have presented to the Adjutant General, in writing, the consent of the member being nominated prior to the closing of nominations. Any nominee shall have the opportunity to decline nomination for the office to which he has been nominated before nominations are closed. Nominations shall remain open until the National Convention is ready to vote.

Election. In balloting for National officers, a majority of all the votes cast shall be necessary for election. If there is no election on the first ballot, the name of the comrade receiving the lowest number of votes shall be dropped and so on in successive ballots until an election is made.

Challenging Election Results. If irregularities are claimed with respect to the election to any office, such challenge must be made prior to the close of election unless otherwise prescribed in the National Convention Rules.

Installation. National officers will be installed before the adjournment of the convention at which elected. **The Commander-in-Chief elect shall select a Past Commander-in-Chief as the installing officer.** An officer who may be absent for good and sufficient reason or cause shall be installed by an officer holding a position equal to or higher than his office within ninety (90) days of the date of installation. If not then installed, the office will automatically become vacant.

Sec. 1004 —Order of Business-Posts.

1. Opening in due form
2. Commander: Recitation of the purposes of the Veterans of Foreign Wars, Section 230102 of the Charter
3. Roll call of officers
4. Read, refer membership applications
5. Report of Investigating Committee
6. Ballot on applications
7. Muster in recruits
8. Read minutes
9. Quartermaster's report; disbursements
10. Quartermaster's report; receipts
11. Read bills
12. Report of Service Officer
13. Report on Comrades or the families of Comrades in distress
14. Report of all committees
15. Remember our National Home for Children
16. Unfinished business (Read communications associated with unfinished business and vote)
17. New business (Read communications associated with new business and vote)
18. Nomination, election and installation of officers
19. Good of the Order (Read communications associated with the good of the order and vote)
20. Closing in due form