

DEPARTMENT OF INDIANA

BY LAWS

ARTICLE I

Name and Jurisdiction

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

ARTICLE II

Objects

The objects of this association are fraternal, patriotic, historical, 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 widows 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 institutions of American freedom; and to preserve and defend the United States of America from all her enemies, as set forth in the National Congressional Charter and National By-Laws and Manual of Procedure of the Veterans of Foreign Wars of the United States.

ARTICLE III

Authority

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, together with its Manual of Procedure, mandates of the National Council of Administration and orders of the Commander-in-Chief.

Section 2. Subject to the provisions of Section 1 of the Article, the authority of this Department shall be vested in its Department Convention, Department Council of Administration and the lawful orders of the Department Commander.

## ARTICLE IV

### Department Headquarters

Section 1. The Department Headquarters of this Department shall be located in the city of Indianapolis, Indiana.

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

Section 3. The Headquarters Building Committee shall consist of (3) members appointed by the Department Commander annually.

Section 4. Duties: The Building Committee shall have the following duties to wit:

- a. To examine the Department Headquarters building and to report to the Council of Administration, at least once each year, as to the structural needs of said building. A licensed building contractor may be contracted as to urgency of structural changes or repairs needed to be made.
- b. To advise the Council of Administration as to any change, improvement or expansion needed in the Department Headquarters Building.
- c. No monies shall be appropriated or spent from the Building Fund without first having a recommendation from the building committee.
- d. In an emergency, temporary repairs may be authorized by the Department Commander and the Department Quartermaster. Major repairs shall be authorized by the Department Council of Administration.

## ARTICLE V

### Council of Administration

Section 1. The Council of Administration of the Department of Indiana, shall be composed of the members provided in Section 521 of the National By-Laws and Manual of Procedure and shall be governed as provided therein.

Section 2. The Department of Indiana shall be divided into eleven (11) Districts which shall be formed and governed by Article IV of the National By-Laws and Manual of Procedure. These eleven (11) Districts shall include the following territory:

District No. 1

The county of Lake.

District No. 2

The counties of Porter, Newton, Jasper, Starke, Pulaski, Fulton, Kosciusko, Benton, White, Cass, Tippecanoe, and Carroll.

District No. 3

The counties of LaPorte, St. Joseph, Elkhart, and Marshall.

District No. 4

The counties of LaGrange, Steuben, Noble, DeKalb, Whitley, Allen, Wells, and Adams.

District No. 5

The Counties of Miami, Wabash, Huntington, Howard, Grant, Blackford, Jay, Clinton, Tipton, and Madison.

District No. 6

The counties of Warren, Fountain, Vermillion, Parke, Montgomery, Boone, Hamilton, Putnam, Hendricks, and Vigo.

District No. 7

The counties of Clay, Owen, Morgan, Johnson, Sullivan, Greene, Monroe, Knox, Davies, Martin, and Gibson.

District No. 8

The counties of Pike, DuBois, Crawford, Harrison, Floyd, Clark, Posey, Vanderburgh, Warrick, Spencer, and Perry.

District No. 9

The counties of Brown, Bartholomew, Lawrence, Jackson, Jennings, Ripley, Franklin, Dearborn, Ohio, Orange, Washington, Scott, Jefferson, and Switzerland.

District No. 10

The counties of Delaware, Randolph, Hancock, Henry, Wayne, Shelby, Rush, Fayette, Union, and Decatur.

District No. 11

The county of Marion.

Section 3. The Department Council of Administration shall meet at least 4 times a year at such time and place as the Department Commander or Council of Administration shall designate.

Section 4. Council of Administration: Within thirty (30) days after each council meeting the Department Adjutant shall mail each Post and District Commander, the Department Officers and the "Past Department Commanders" a digest of the minutes of such council meeting.

ARTICLE VI

The Department Districts shall be formed, chartered and operated in accordance with Article IV of the National By-Laws and Manual of Procedure.

Section 1. The District Quartermaster shall submit to the State Quartermaster within sixty (60) days after each District Convention, a copy of the District Budget for the ensuing year.

Section 2. The Department Quartermaster shall return to each District, 65 cents of each member's dues submitted from that District the previous calendar quarter (3 months) during the first month of each new quarter, providing the District has submitted a proper budget as specified in Section No. 1 and same having been approved by the Department Finance Committee. Failure to do so would place the District not in good standing. This money shall be budgeted for Veterans of Foreign Wars programs only, by each District.

Section 3. Department Quartermaster shall not disburse District funds until District budget is received in Department Headquarters.

ARTICLE VII

Section 1. The Department shall hold an annual Convention in accordance with Article V of the National By-Laws and Manual of Procedure.

Section 2. The delegate strength of each Post in the Department shall be based upon one each for every thirty (30) members or fraction thereof in good standing at the time of delegate election, and they shall be elected in accordance with the provisions of the National By-Laws and Manual of Procedure.

Section 3. Only those officers and delegates of the Department Convention who are entitled to credentials and who have registered the same at the Convention headquarters shall be entitled to a voice or vote in the Convention.

Section 4. A fee of two dollars (\$2.00) shall be required by the Department for the registration of each delegate.

Section 5. Voting on all elective officers shall be by roll call vote; provided, that should only one candidate be nominated for an elective office, the presiding officer shall be empowered to instruct a member of the Convention to cast one unanimous vote for the nominee who shall be declared elected.

Section 6. The minutes of the Department Convention shall be recorded, and a digest thereof furnished to all Post Commanders, District Commanders, Past Department Commanders and the Department Officers, not later than forty-five (45) days after the Convention.

Section 7. All convention committees shall be appointed by the Department Commander at least thirty (30) days prior to the convening of the Convention.

Section 8. All resolutions for the Convention shall be typewritten, in triplicate, and shall be in the hands of the Department Adjutant, who shall deliver them to the Chairman of the Resolutions Committee, at least fourteen (14) days prior to the convening of the Convention.

Section 9. No resolution, other than those of condolence or appreciation, shall be considered by the Convention unless provisions of Section 8 of this Article have been complied with, except by a two-thirds (2/3) vote of Convention.

Section 10. Any resolution passed at a Department Convention shall be in full force and effective until the convening of the next Convention, unless superseded by the National Convention or a lawful order of the Commander-in-Chief or the National Council of Administration.

Section 11. The dues of each member in good standing in each and every Post in the Department, except Life Members, shall be assessed each year by resolution of Department Convention provided in Section 511 of the National By-Laws and Manual of Procedure. Department dues of life members shall be fixed as provided in the National By-Laws and Manual of Procedure.

## ARTICLE VIII

### Department Finances

Section 1. It shall be the duty of the Department Quartermaster to set-up and maintain a reserve fund into which shall be paid fifty percent (50%) if all current years dues received prior to July 1, as provided in Section 517 of the National Manual of Procedure the monies in such fund to be transferred to the Department general fund on July 1 of each year.

Section 2. Finance Committee: There is hereby created a Department Finance Committee which shall consist of six (6) members appointed as hereinafter provided plus the Department Quartermaster. The committee shall consist of six (6) members appointed as follows the year this article is adopted, to wit:

Two (2) appointed by the Department Commander for a period of one (1) year.

Two (2) appointed by the Department Sr. Vice Commander for a period of two (2) years and

Two (2) appointed by the Department Jr. Vice Commander for a period of three (3) years.

Thereafter, on the expiration of each term the Junior Vice Commander shall appoint two (2) members for a period of three (3) year. In the event of a vacancy on the committee, the chair officer who will be Department Commander the last year of the committee member's term shall fill the vacancy. A vacancy may be caused by death, resignation, or refusing to function and so report to the Department Commander in writing.

Section 3. The duties of the Finance Committee shall be as follows:

- a. To assist the Department Quartermaster and Department Commander in preparing the department budget to be presented at the first Council of Administration meeting after the Department Convention.
- b. To audit the books which must include all vouchers of the Department Quartermaster and to report said audit at each Council of Administration meeting.
- c. To secure an annual audit of the Department Quartermaster's books by the Department Finance Committee, the preliminary report (to April, 30<sup>th</sup> of each year) to be given to the delegates at the annual convention, and the final audit of the fiscal year (July 1 to June 30) to the Council of Administration as soon as possible after July 1 of each year. Provisions for Per Diem of Finance Committee shall be made in the Annual Department budget for this duty.
- d. To verify, each quarter, the investments of the Department made by the Department Quartermaster, and to report to the Council of Administration the status of the same.
- e. To set the amount of the Department Quartermaster's bond with the approval of the Department Council of Administration.

Section 4. Salaries: The Finance Committee shall recommend and the Council of Administration shall fix the salaries of all Department employees at the first meeting of the Council of Administration after the State Convention in July of each year.

Section 5. The Finance Committee shall recommend and the Council of Administration shall fix the expense allowance of all Department Officers and Employees in the annual budget. There shall also be budgeted a sufficient sum to establish a representative Department Headquarters at each National Convention and the necessary traveling and hotel expenses to said Convention by the Department

Commander, Sr. and Jr. Vice Commanders, Adjutant/Quartermaster and the Jr. Past Department Commander.

Section 6. The Department Convention, or the Council of Administration may from time to time, establish special funds for special purposes. A special fund may be either permanent or temporary and shall consist of all funds, including appropriations from the general fund by the Council of Administration, received with the understanding that they are to be devoted to the purpose indicated. No funds may be expended from such special funds without the approval of the Council of Administration. All other monies in the Department treasury shall be in the general fund.

Section 7. All funds of the Department are to be held, invested and expended as provided in the National By-Laws and Manual of Procedure.

Section 8. The Council of Administration, with the advice of the Finance Committee shall set the policy for the Department Quartermaster to invest the surplus funds of the Department.

## ARTICLE IX

### Welfare and Service Committee

Section 1. Committee: The Department Welfare and Service Committee shall consist of the Department Commander and four (4) immediate Past Department Commanders. Whenever a Department Commander shall retire at the end of his term, he shall thereupon become a member of said committee and the Senior Past Department Commander of the four (4) members of the committee shall thereupon retire from the committee. If any member of the committee shall fail to attend meetings he may be removed by a majority vote of the committee. This appointment is to be replaced by the Department Commander.

Section 2. Control: The Department Welfare and Service Committee shall have full control of the Rehabilitation and Service work of the Department, subject to the By-Laws and Manual of Procedure. The committee shall elect its own chairman and shall make a report to each regular meeting of the Council of Administration.

Section 3. The Department Service Officer shall be appointed by the Department Commander upon the recommendation and approval of the Department Welfare and Service Committee, after a thorough investigation of the applicant has been made by those concerned.

## ARTICLE X

### Big 10 Conference

Section 1. The Department Commander, Sr. Vice Commander, Jr. Vice Commander, Past Jr. Commander and the Adjutant/Quartermaster shall be ex-official delegates to the Big 10 Conference.

Section 2. The delegates to the Department Convention shall elect by a majority vote, all other voting delegates to the Big 10 Conference at the annual Convention at regular election and under regular rules. If a regularly elected delegate shall be unable to attend a Big 10 meeting, the Department Commander may designate an alternate voting delegate.

Section 3. All voting delegates to the Annual Big 10 Conference meeting shall be allowed expenses in keeping with the regular Department schedule.

## ARTICLE XI

### All State Post Commanders Selections

#### Article XII – MEN’S AUXILIARY

A post in the Department may form a Men’s Auxiliary in accordance with Article XIII of the National By-Laws and Manual of Procedure, and procedures and rules established by the Department.

**(a) Formation:** Men Auxiliaries shall be hereafter formed and approved in accordance with the following provisions:

1. A Men’s Auxiliary of a Post of the Veterans of Foreign Wars of the United States may be formed, if approved by a two-thirds (2/3) vote of the Post membership present at a regular or special meeting, due notice of the proposed formation of an association having been given the entire membership in writing at least 10 days prior to a regular meeting, or special meeting called for the aforementioned purpose. A men’s Auxiliary may be formed by not less than twenty-five (25) persons eligible for membership. A men’s auxiliary must maintain at least twenty-five (25) members to retain their Charter. Within two (2) months of receiving their charter such unit must complete and file application of exemption under 501 C (19) of the Internal Revenue Code. Should said unit not obtain such exemption within one year of their charter date the unit would automatically and without formality surrender their charter. Each Men’s Auxiliary shall be subject to jurisdiction of the Post under which it is affiliated. It shall also be subject to the jurisdiction of the Department Convention, Council of Administration and Department Commander with respect to matter of authority.
2. A Men’s Auxiliary authorized by Post may apply for a Charter from Department Headquarters. A Seventy-five dollar (\$75.00) Charter fee shall be paid annually.

**(b) Eligibility:** Membership in the Men’s Auxiliary to the Veterans of Foreign Wars shall be limited to husbands, widowers, fathers, grandfathers, sons, grandsons, brothers, and half



brothers (who attained that status prior to age sixteen (16) of persons who were or are eligible for membership in the Veterans of Foreign Wars of the United States. Members must be not less than sixteen (16) years old.

Men eligible for membership in the Veterans of Foreign Wars of the United States shall not be eligible for membership in the Men's Auxiliary.

**(c) Suspension and Discontinuance:** The Department Commander may direct the suspension, for a period not to exceed sixty (60) days, or cancellation of the charter of any Men's Auxiliary, upon the recommendation of the Post Commander under which such unit is affiliated, when it is shown the conduct of the officers or members thereof may be detrimental to the best interest of the Veterans of Foreign Wars of the United States.

A Post may, by vote of eighty (80%) percent of its members present at a meeting following a written notice mailed or delivered to each member of the Post in good standing at least ten (10) days before said meeting, vote to request cancellation of the charter of its Men's Auxiliary. The notice must state the contemplated action and reason thereof if the Post votes to request cancellation of the charter of its Men's Auxiliary, it shall certify the action in writing and forward same to the Department Commander of the Department having jurisdiction to cancel the charter of the Men's Auxiliary.

While the Charter of a Men's Auxiliary is suspended, said unit shall not be permitted to function and officers thereof shall be without authority.

**(d) Disposition of Property:** In the event of surrender, cancellation or forfeiture of a Charter of a Men's Auxiliary, all official records, money and other property shall immediately become property of the Post.

**(e) Reports:**

1. The President of the Men's Auxiliary shall annually, within thirty (30) days after induction into office, submit to the Department Commander an itemized report of the Financial and Membership status of the Auxiliary over which he is presiding officer.
2. The Men's Auxiliary to the Veterans of Foreign Wars shall use the Rules of Order provided or in Section 1001 of the Manual of Procedure.

**Order of Business shall be as follows:**

1. Opening in due form (Prayer and Pledge of Allegiance to the flag).
2. Roll call of Officers, (President, Sr. Vice President, Jr. Vice President, Secretary, Treasurer, Chaplain, Trustees).
3. Read, refer membership applications

4. Report of investigating committee
5. Ballot on candidates
6. Read Minutes
7. Treasurer's report (receipts and disbursements)
8. Read bills
9. Report of Chaplain
10. Report of all committees
11. Unfinished business (read communications associated with unfinished business and vote)
12. New business (read communications associated with new business and vote)
13. Closing in due form (closing prayer)

ARTICLE XIII  
Amendments

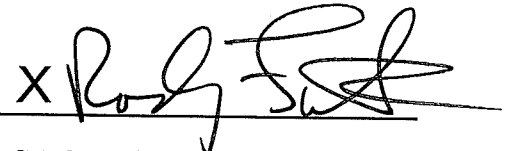
Section 1. These By-Laws may be amended by the Department Convention by a two thirds (2/3) vote of the delegates present, provided no amendment shall be considered unless a copy of the same shall have been forwarded to all Post Commanders, District Commanders, Past Department Commanders and all Department Officers at least thirty (30) days prior to the convening of the Convention.

Section 2. A copy of all amendment(s) adopted by the Department Convention shall be submitted to the Commander-in-Chief for approval.

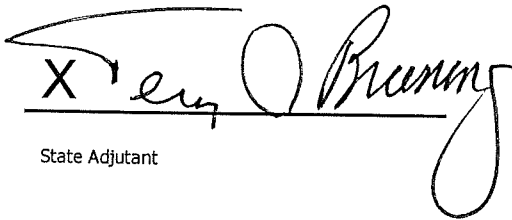
These By-Laws were adopted, subject to the review of the Commander-in-Chief, Veterans of Foreign Wars of the United States on this 14<sup>th</sup> day of June 2002, at the State Convention in the City of Indianapolis, County of Marion, State of Indiana.

As amended at the 90<sup>th</sup> Annual Convention of the State of Indiana VFW at Indianapolis, Indiana June 16 thru 19, 2011.

As amended at the 91<sup>th</sup> Annual Convention of the State of Indiana VFW at Indianapolis, Indiana June 14 thru 17, 2012.

  
State Commander

OFFICIAL:


  
State Adjutant

Veterans of Foreign Wars

JUL 10 2012

Administrative Operations

REVIEWED JUL 17 2012  
FOR THE COMMANDER-IN-CHIEF

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