

# VFW Department of Indiana

## Proposed Changes to the Bylaws

May 1, 2021

### Article 5 Officers

ADDED:

Section 5

Section 6

NUMBERING CHANGES:

Section 5 changes to Section 7

Section 6 changes to Section 8

Section 7 changes to Section 9

### Article VIII Department Convention Reports and Resolutions

CHANGED:

Section 5 “must have the unanimous approval” **changed to** “must have majority approval”

### Article IX Department Tax and Finance

ADDED

Section 2-b

NUMBERING CHANGES:

Section 2-b changes to Section 2-c

Section 2-c changes to Section 2-d

Section 2-d changes to Section 2-e

### Article X Service Office Committee

DELETED:

Section 1 “If a members is removed” **changed to** “If a member is removed”

Section 1 “is removed as defined in National Bylaws Sec 510 or resigns” changed to “is removed or resigns”

ADDED:

Section 2 “elect its own chairperson and shall make” **changed to** “elect its own chairperson, the Chairperson will appoint a member to be Committee Secretary. Committee Secretary shall be responsible for Committee minutes and providing a copy of the minutes of each meeting to the Council of Administration, within seven (7) days of the meeting. The Committee Chairperson shall make”

### Article XII Publication and Official Notices

CHANGED TITLE:

Publication , Official Notices and Technology

ADDED:

Section 3.

### Article XIII Amendments

CHANGED and DELETED:

Section 1 “has been given each” changed to “has been made available in accordance with Article XII to Post, District”

CHANGES ARE HIGHLIGHTED IS LIGHT GREY

**BYLAWS FOR THE DEPARTMENT OF INDIANA  
Veterans of Foreign Wars of the United States**

**ARTICLE I**

**NAME AND JURISDICTION**

Section 1. The 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.

Section 2. The jurisdiction of this Department shall conform to territorial limits of the State of Indiana.

Section 3. The Headquarters of the Department of Indiana, Veterans of Foreign Wars shall be situated in Marion County, Indiana.

**ARTICLE II**

**Purpose**

The purpose 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 the institutions of American freedom; and to preserve and defend the United States from all 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 and Bylaws 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 the Department Commander.

**ARTICLE IV**

## **DEPARTMENT CONVENTION**

Section 1. The Department Convention shall be composed by those specified in Article V, Section 504 of the National Bylaws and who have registered for the same at the Convention headquarters shall be entitled to a voice or vote in the Convention.

Section 2. The delegate strength of each Post to the Department Convention shall be one (1) delegate for each thirty (30) members or a fraction thereof in good standing in the Post as of March 31st of current membership year.

Section 3. The stated meeting of the Department Convention shall be held annually as described in Section 503 of the National Bylaws at such time and place determined previously by a Department Convention.

Section 4. The Commander, Senior Vice Commander, Junior Vice Commander, and Surgeon shall propose a site and date for the Department Convention corresponding to their convention. The Quartermaster and appointed Convention Chairman will negotiate with the selected facility for the proper room accommodations, meeting venues and other considerations. The facilities for the Department Convention must be within the financial guidelines approved by the Council of Administration.

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 emailed to all Post Commanders, Past Department Commanders and the Council of Administration not later than forty-five (45) days after the Convention.

## **ARTICLE V**

### **OFFICERS**

Section 1. The elected and appointed officers of the Department shall be those prescribed by the National Bylaws and as the Department Bylaws may hereafter provide.

Section 2. The elected officers of the Department shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate and Surgeon. The order of succession for the Department shall be Surgeon to Junior Vice Commander, Junior Vice Commander to Senior Vice Commander, Senior Vice Commander to Commander, and Commander to Junior Past Commander. If for any reason a Past Commander can not fill the role of Past Commander as prescribed by these bylaws, the Commander shall appoint an eligible Past Commander to fill the position.

Section 3. The duties and term of officers of the Department shall be those prescribed by the National Bylaws and as the Department Convention may direct.

Section 4. In addition to the duties of the Department Officers prescribed in the National Bylaws, and the duties and responsibilities as described in the Department of Indiana Policy manual, the following officers are charged with the following specified duties and responsibilities:

- a. The Department Commander shall be required to obtain a financial audit from an independent firm of Certified Public Accountants of the Department Quartermaster's record covering receipts and disbursements of Department Funds for the previous fiscal year or for the period since the last audit by Certified Public Accountants. A copy of this report shall be submitted to the Department Council of Administration following the completion of the annual audit. By virtue of their office the Commander is an ex-officio member of all Committees.
- b. The Department Quartermaster shall be responsible for all financial matters, property and equipment for the Department of Indiana. Within 5 working days after the end of each month the Quartermaster will produce a complete financial report. This financial report will compare expenses/revenue to each line item of the Department budget. The report will be distributed to the members of the Finance Committee, and Council of Administration.
- c. The Department Adjutant shall be responsible for administrative matters, management of headquarters non-elected staff, and for all communications between National Headquarters, District, Posts, Officers and members within the Department to include communications with other Departments and Veterans Organizations.
- d. The State Surgeon shall, by direction of the State Commander or Council of Administration, conduct inspections of Department of Veterans Affairs Medical Centers and State Veterans Homes and shall prepare reports on such inspections which will be forwarded to the State Commander. The Surgeon shall assist Post Surgeons in an advisory capacity, and promote statewide health programs. They shall perform such other duties as are incident to their office and as directed by the Department Commander.

Section 5. No member shall be appointed or serve in a position of authority or supervision over an employee of the department who is a spouse, child, or sibling, or the spouse of a sibling or a child or the sibling of their spouse.

Section 6. The Department will not enter into an agreement/contract with an individual/company owned or controlled by the Commander's, Senior Vice Commander's, Junior Vice Commander's, Surgeon's, Judge Advocate's, Quartermaster's or Adjutant's spouse, child, or sibling, or the spouse of a sibling or the child or the sibling of their spouse without disclosure to the Council of Administration and majority consent of the Council of Administration.

Section 7. State and National Legislative Chairpersons, it shall be the duty of the Legislative Chairpersons' to assist and provide guidance to the Commander and to establish legislative goals at the National and State level. The Chairperson shall insure the Department membership is informed of all legislative issues, and perform other duties as the State Commander may

direct. The Commander, Adjutant and State Legislative Chairperson shall be voting members of the Indiana Big 4 organization.

Section 8. State Service Officer, it shall be the duty of the accredited State Service Officer to assist the members of the Department, their widows and orphans, in obtaining rightful benefits from the Federal and State Government; assist them in preparing proper forms in connection with claims, and shall provide guidance to District and Post Service Officers. They shall organize and conduct annual training sessions for District and Post Service Officers. Their work shall be performed in accordance with rules promulgated by the National Veterans Service Committee and at the direction of the Service Office Committee.

Section 9. The Headquarters Building Committee shall consist of (3) members, Quartermaster, Junior Vice Commander and a Past Department Commander appointed by the Department Commander, annually.

- a. The duties of the Building Committee shall be the following:
  1. Annually examine the Department Headquarters building and to report to the Council of Administration, as to the needs of said building.
  2. To advise the Council of Administration as to any change, improvement or expansion needed in the Department Headquarters Building.
- b. Recommendations made by the Building Committee must have the approval of the Finance Committee and the Council of Administration prior to execution.
- c. In an emergency, temporary repairs may be authorized by the Building Committee with the consent of the Department Commander.

## **ARTICLE VI**

### **DEPARTMENT DISTRICTS**

Section 1. The Department of Indiana in accordance with the provisions of the National Bylaws Article IV, shall be divided into eleven (11) Districts.

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 2. 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 3. 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. 2 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 4. The Districts shall function as provided in the National Congressional Charter and Bylaws and Manual of Procedure, except:

- a. At least four (4) 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. District boundaries shall be determined by majority vote of the member delegates of the Department of Indiana, at its annual convention. District boundaries shall be determined by transportation arteries or other topographical features and may be changed from time to time based on geographical and demographic locations of Posts and their membership within the Department of Indiana, Veterans of Foreign Wars.

## **ARTICLE VII**

### **DEPARTMENT COUNCIL OF ADMINISTRATION**

Section 1. The Department Council of Administration shall consist of the Department Commander, Senior Vice-Commander, Junior Vice-Commander, Surgeon, Adjutant, Quartermaster, Judge Advocate, Chief of Staff, Inspector, Chaplain, eleven (11) District Commanders and the Jr Past Department Commander.

Section 2. The Department Council of Administration shall meet in regular session not less than three (3) times each year in addition to a meeting to be held before the Department

Convention and at such other times as directed by the Department Commander or by the Council. The time and place of meetings shall be at the direction of the Department Commander, unless otherwise specified by the Council.

Section 3. The Department Council of Administration may adopt additional procedures pertaining to electronic attendance of Council workshops, members may be allowed to participate in Council workshops using technology that allows all participating members to communicate with each other simultaneously.

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

## **ARTICLE VIII**

### **DEPARTMENT CONVENTION REPORTS AND RESOLUTIONS**

Section 1. At each Department Convention and Council of Administration meetings, all Department Officers and all Committee Chairpersons shall submit written reports, at the request of the Commander these reports will be delivered orally.

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

Section 3. All resolutions except as provided in Section 4 hereof shall be prepared and submitted in accordance with Article XII, Section 2 to the Department Adjutant thirty (30) days prior to the convening of the Department Convention. All such resolutions shall be referred by the Department Commander to the appropriate committee for study and recommendations to the Convention body.

Section 4. Resolution of appreciation, sympathy and condolence may be presented at any time during the Department Convention.

Section 5. All resolutions, other than resolutions of appreciation, sympathy and condolence, presented after the convening of the Department Convention must have ~~the unanimous~~ majority approval of the Department Convention in regular session before any such resolution may be considered by the appropriate committee.

Section 6. 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.

## **ARTICLE IX**

## DEPARTMENT TAX AND FINANCE

Section 1. Finance Committee: The Department Finance Committee consist of six (6) members plus the Department Quartermaster. Two (2) new members will be appointed by the incoming Junior Vice Commander, the two members appointed by the retiring Commander will retire. Members serve a 3 year term. The Committee shall at the first meeting after the department convention elect a Chairperson to preside over the meetings and report to the Council of Administration, the Chairperson shall not serve consecutive terms. The Chairperson will appoint a member to be Committee Secretary. Committee Secretary shall be responsible for Committee minutes and providing a copy of the minutes of each meeting to the Council of Administration, within seven (7) days of the meeting. In the event of a vacancy as defined in National Bylaws Sec 517, the officer who appointed the member to the Committee will appoint new member to fill the vacancy, the new member will serve the remainder of the previous members term.

Section 2. 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. Assist the Department Commander and Quartermaster in preparing spending limits for each department officer and contractual obligation limits for approval at the first Council of Administration meeting after the Department Convention.
- c. Prior to each Council of Administration meeting, review the books which must include all monthly financial reports, and necessary records or vouchers of the Department Quartermaster and to report said review at each Council of Administration meeting.
- d. To review the annual audit required by Article V, Section 4 – a, and provide a report to the delegates at the annual department convention.
- e. 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.

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 Department Convention in June of each year.

Section 5. The Finance Committee shall recommend, and the Council of Administration shall fix the expense allowance of all Department Officers, Finance Committee, Inspector, Chief of Staff, Legislative Chairperson, Historian, Membership Chairperson, 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, Surgeon, 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.

Section 9. The Department Per Capita Tax (Department Dues) shall be assessed each year by resolution of Department Convention provided in Section 104 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. Membership funds received by the Department shall be allocated to categories within the Department budget as approved by the Department Council of Administration.

Section 10. Not later than fifteen (15) days before the convening of the Department Convention, a delegate registration fee of three dollars (\$3.00) shall be paid by each Post to the Department in accordance with the National Bylaws, for each and every delegate to which the Post shall be entitled.

Section 11. Any monies or other things of value (in excess of the actual expenses incurred by the Department) realized from the Department Convention, shall revert to the Department's General Fund.

Section 12. All Department officials handling monies 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 equal to the average amount of funds and/or the value of property for which, so far as can be anticipated, he/she 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. The bond (or bonds) of all Department Officers shall be approved by the Department Council of Administration.

Section 13. The Annual Financial Report, complete in every detail, shall be prepared by the Department Quartermaster as of the last day of the month following each annual Department Convention and shall be certified by an outside firm of Certified Public Accountants.

Section 14. All profits from the sale of Poppies shall be credited to the Department Veterans Relief Fund.

## **ARTICLE X**

## Service Office Committee

Section 1. The Department Service Office Committee shall consist of four (4) immediate Past Department Commanders. When a Department Commander shall retire at the end of their term, they 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 a member is removed ~~as defined in National Bylaws Sec 517~~ or resigns they will be replaced by an appointment of the Department Commander.

Section 2. The Department Service Office 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 chairperson, the Chairperson will appoint a member to be Committee Secretary. Committee Secretary shall be responsible for Committee minutes and providing a copy of the minutes of each meeting to the Council of Administration, within seven (7) days of the meeting. The Committee Chairperson shall make a written and oral report to each regular meeting of the Council of Administration and Department Convention.

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

## ARTICLE XI

### Big 10 Conference

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

Section 2. If additional delegates to the Big 10 Conference shall be required, they shall be elected at the Department Convention under regular rules. If a 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 XII

### PUBLICATION, OFFICIAL NOTICES and TECHNOLOGY

Section 1. The VFW Department of Indiana website, [www.vfwin.org](http://www.vfwin.org), is declared to be the official publication of the Department of Indiana, Veterans of Foreign Wars of the United States.

Section 2. General Orders of the Department Commander and official notices of the Department posted on the VFW Department of Indiana website or emailed shall be full and lawful notice to all officers and members of the Department for all purposes.

Section 3. Posts, districts, committees, and the department may use technology to hold meetings or attend physical meetings in accordance with national by-laws and guidelines.

### ARTICLE XIII

#### AMENDMENTS

Section 1. These Bylaws may be amended or altered only by the Department Convention and then only by a vote in favor thereof by two-thirds (2/3) of the votes cast at a stated meeting thereof; provided however, that such amendment have been forwarded, through channels, have been approved and have been proposed by a Post, District or Department or have been recommended by a National Officer and written notice thereof, together with a copy of the proposed amendment, has been made available in accordance with Article XII to ~~given each~~ Post, District Commanders, and Department Officers by the Department Adjutant at least fifteen (15) days before the assembling of the Department Convention. No amendment shall be effective until same has been reviewed by the Commander-in-Chief.

Section 2. All Bylaws heretofore enacted and not embodied in these Bylaws are hereby repealed.

Section 3. Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws the later shall prevail and be binding upon this Department as though written herein.

These By-Laws were adopted, subject to the review of the Commander-in-Chief, Veterans of Foreign Wars of the United States on this 5th day of June, 2021, at the Department Convention in the City of Indianapolis, County of Marion, State of Indiana.

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State Commander

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Attested to Adjutant