



August 3, 2023

William A. Pierce, Commander  
Department of Nevada, VFW  
1285 Baring Blvd  
Sparks, NV 89434

Re: Proposed Amended Bylaws

Dear Comrade Pierce:

Receipt is acknowledged of the proposed revised Bylaws for the Department of Nevada 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 Bylaws to reflect their replacement of previously reviewed Bylaws.

A review of the proposed amended Bylaws discloses that they are in substantial compliance with the Congressional Charter, Bylaws, 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 Bylaws has been retained for our files and two sets herewith returned.

Sincerely,

Quentin S. Carroll, Interim Director  
Administrative Operations

QSC: af  
Enc: Revised Bylaws (2)  
cc: Department Adjutant (1)

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# Veterans of Foreign Wars of the United States

## Department of Nevada

### Preamble

The Department of Nevada, Veterans of Foreign Wars of the United States, adopts, publishes and declares the following as the Bylaws governing said Department.

#### **Sec. 230101- Organization.**

This subdivision of the Veterans of Foreign Wars of the United States shall be known as the Department of Nevada, Veterans of Foreign Wars of the United States, hereinafter referred to as the Department. The jurisdiction of the Department shall conform to the territorial limits of the State of Nevada. The location shall be the Department Adjutant's address, or as designated by the Department Commander.

**Sec. 230102 - Purpose.** The purposes of this corporation are fraternal, patriotic, historical, charitable, and educational, and are:

- 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, 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;
- To coordinate the work of the Districts and Posts of the Veterans of Foreign Wars of the United States operating within the State of Nevada;
- To supervise and direct the affairs of said Districts and Posts through the Department Commander and District Commanders in accordance with the Congressional Charter, Bylaws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

**Sec. 230103- Membership.** An individual is eligible for membership in the Corporation if the individual served honorably as a member of the Armed Forces of the United States in accordance with the National Bylaws Section 101 and the Manual of Procedure Section 101.

**Sec. 230104- Powers.** 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, Bylaws, Manual of Procedure and Ritual as adopted by the National Convention, mandates of the National Council of Administration and orders of the National Commander-in-Chief. Subject to provisions of the Congressional Charter, Bylaws, Manual of Procedure and Ritual this Department shall be governed by the Department Convention,

Department Council of Administration and Department Commander subordinate to the authority listed above.

### **Article I - Bylaws**

**Sec. 101- Bylaw Approval.** The Department Convention may fix Department Bylaws not in conflict with the National Bylaws, provided such Bylaws are submitted to the Commander-in-Chief for review.

**Sec. 102 - District and Post Bylaws Approval.** Bylaws for the Districts and Posts within the Department of Nevada will be sent to the Commander for approval provided they are not in conflict with the National and Department Bylaws. After approval by the Department Commander and attested by the Department Adjutant, they will be forwarded to the Commander-in-Chief for final review.

**Sec. 103 - Consolidation.** Consolidation of two (2) or more Posts within the Department of Nevada will be in accordance with Article II, Section 209, of the National Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States.

### **Article II - Organization**

**Sec. 201- Organizational Units.** The constituted bodies of this Organization shall be subordinate to and governed by the Congressional Charter, Bylaws, Manual of Procedure and Ritual, Department Convention and lawful orders of this Department and the Department Commander and shall consist of the following: All Chartered Posts and approved Districts of the Veterans of Foreign Wars of the United States within the State of Nevada.

### **Article III - Meetings**

**Sec. 301- Convention.** The Department shall hold one (1) Convention each year, in accordance with Section 503 of the National Bylaws and in accordance with the Department Event Policy.

**Sec. 302– Council of Administration.** The Department Council of Administration shall meet in regular session at least two (2) times each year.

**Sec 303 - Department Mid-Winter Conference.** The Department shall hold one (1) Conference annually, in January or February, for review of progress to date, to honor Department Voice of Democracy and Patriots Pen winning entries, and to announce the Citizenship Teacher of the Year winning entry. The Department Commander shall have the sole authority to select time and place for the Mid-Winter Conference.

**Sec 304 – Convention Selection.** The recommendation to the State Convention of the time and place for the state conventions shall be the responsibility of the Time and Place Committee in

accordance with the Department Event Policy.

**Sec 305 - Registration Fee.** The Post or Auxiliary hosting the Department Convention or the Department Mid-Winter Conference may charge up to ten dollars (\$10.00) registration fee to those registering for the meeting.

**Sec. 306 - Special Meetings.** The Department Commander may call a special meeting of the Council of Administration whenever in his/her judgment the same may be necessary for the welfare of the Department. The Department Commander shall call a special meeting upon written request signed by a majority of the members of the Department Council of Administration. Should the Department Commander refuse to call a special meeting after such a meeting has been requested in writing by a majority of the members of the Department Council of Administration, the Department Council of Administration may proceed to hold such a meeting, due notice of which shall be sent to all members of the Council by the Adjutant not later than ten (10) days prior to the date of the said meeting.

#### **Article IV - Quorum**

**Sec. 401- Convention.** The minimum number of delegates required to constitute a quorum for the transaction of business at the Department Convention shall be not less the one (1) delegate from ten (10) Posts in the Department.

**Sec. 402 - Council of Administration.** A majority of the members of the Council of Administration shall constitute a quorum for the transaction of business.

#### **Article V - Revenue**

**Sec. 501- Per Capita Tax.** The annual per capita tax for the Department shall be Ten Dollars (\$10.00) per member effective 1 July 1998. The per capita tax for the National Organization will be paid in accordance with the provisions of the Congressional Charter, Bylaws, Manual of Procedure and lawful orders.

**Sec. 502 – Fee’s.** Each Post shall pay to the Department a Delegate Fee and Admission Fee. The fee’s will be determined based on the ending count of the membership report of March 31 of each year. The Delegate Fee will be set by the Council of Administration after the Department Convention for the next billing. The Council of Administration shall not exceed a rate of \$1.00 per member. The Admission Fee shall be set at \$1.00 per new member.

**Sec. 503 - Budget.** The Department Quartermaster shall prepare, with the assistance of the Budget Committee a budget for the financial operation of the Department for the ensuing year. The budget shall be on forms prescribed by the National Organization, or computerized print out, and shall set forth all estimated revenue and anticipated expenditures. Restricted funds shall be identified and budgeted within the budget and the budget must balance. The budget shall be presented to the Department Council of Administration ten (10) days prior to the Department Convention and the

budget shall be approved at the first meeting of the Council of Administration following the Department Convention. Action shall be taken to adopt the budget at this first Council of Administration meeting as it shall be the revenue and expenditure guide for the year. One (1) copy of the budget shall be forwarded to the Adjutant General's Office for review.

## **Article VI – Post and Department Operations**

**Sec 601- Canteen Operations.** All Posts operating a canteen for the benefit of their members and Auxiliary must comply with all local and Nevada State Liquor Laws and Regulations and all Internal Revenue Service requirements.

**Sec 602 - Audit of Department Quartermaster Records.** The Department Commander shall appoint a member to the Department Audit Committee for a three-year term to replace the committee member who has completed their term. The Audit Committee shall consist of three members serving three-year staggered terms. The initial committee members shall be assigned to 1-, 2-, and 3-year terms. The Department Quartermaster shall provide by electronic means to the Audit Committee members a monthly financial statement by the 10th day after the end of the month to be audited. The statement shall include:

- A financial summary statement for the month
- The month's general ledger
- A budget versus actual income and outgo statement, detailed by line item
- Financial institution monthly statements
- Credit card statements for all credit cards
- Other financial information that would benefit the committee members' audit of the records

The Audit Committee members shall independently complete a thorough and complete audit by the 20th day of the Month. Any questions that arise shall be resolved between the committee member and Department Quartermaster by the 25th day of the month. The Audit Committee members shall independently certify that the Audit was performed and the results presented to the Council of Administration by the 30<sup>th</sup> day of the month for their information and records. The Audit Committee shall meet at the Department Convention to prepare a summary statement of the monthly audits of the Department's financial records and then select one of its members to present the summary statement to the convention body. Any irregularities or issues not resolved between a committee member and the Department Quartermaster shall immediately be raised to the Department Commander.

## **Article VII - Solicitation of Funds**

**Sec. 701- Fund Raisers.** All fundraising projects or solicitations for donations conducted by the Department will be done in accordance with Section 514 of the Manual of Procedure and Ritual.

## Article VIII - Disciplinary Procedure and Appeals

**Sec. 801- Disciplinary Procedure.** Disciplinary procedure shall be in accordance with Article IX of the National Bylaws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

**Sec. 802 - Appeals.** Except with respect to those matters for which other provisions for appeal are made in Article IX - Discipline, of the National Bylaws and Manual of Procedure, any member; Post, District or Department aggrieved by any acts or decisions may appeal, by the rights afforded by the National Bylaws, to the next higher authority as prescribed in Section 109 of the Manual of Procedure.

## Article IX - Eligibility to Office

**Sec. 901- Eligibility.** Any member in good standing in a Post in the Department shall be eligible to any office, provided no member shall hold two (2) elected Department offices but may hold one (1) elected and one (1) or more appointed offices.

**Sec. 902 - Eligibility of Department Officers.** Department officers, elected or appointed, may be eligible to hold office to a higher or lower body and may be held concurrently.

## Article X - Department Officers

**Sec. 1001- Elected and Appointed Officers.** Elected Officers shall be a Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate, and Surgeon. The Department Commander shall appoint an Adjutant, Service Officer, Chief of Staff, Inspector, and Officer of the Day. Elected and appointed officers, appointed Chairmen and Committees will be in accordance with Section 516 of the Congressional Charter, Bylaws, Manual of Procedure, and Ritual of the Veterans of Foreign Wars of the United States.

**Sec 1002 – Department COA Composition.** The Council of Administration shall consist of the Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Chaplain, Judge Advocate, Surgeon, Adjutant, Chief of Staff, Inspector, Department Service Officer, Programs Director, Junior Past Commander, and the District Commanders.

**Sec 1003 – Department Standing Committees.** The Department Standing Committees are –

1. **Disciplinary** – Consists of each District Commander, less the District from which the appeal originates, and three (3) members appointed by the Department Commander.
2. **Budget** – Consists of Department Quartermaster, Department Senior Vice Commander, Department Junior Vice Commander, Department Adjutant, Department Assistant Quartermaster, Department Programs Director.
3. **Audit** – Consists of 3 members appointed by the Department Commander to a 3 year terms (Staggered terms)

4. **Resolutions and Bylaws** – Consists of 3 members appointed annually by the Department Commander.
5. **Time and Place** – Consists of the Junior Vice Commander and District Commanders.

**Sec. 1004 - Officer Payments.** Payment for officers and committee chairmen will be paid by the Department Quartermaster upon receipt of an Expenditure Sheet with receipts for actual and reasonable expenses in accordance with the Department Travel and Reimbursement Policy. However, the aggregate amount paid by the Quartermaster shall not exceed the amount of the specified line item in the Budget, without approval of the Council of Administration.

**Sec. 1005 - National Appointment.** In the event that one of Department Officers receives a National Appointment and receives an allowance to attend the National Convention or the Washington Conference, the Department Travel and Reimbursement Policy shall apply.

#### **Article XI - Nominations, Elections, Installation and Term of Office**

The nominations, election, installation and term of office will be in accordance with Section 517 of the National Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars.

#### **Article XII - Officer and Chairmen Duties**

**Sec. 1201- Duties.** The Department Officers, elected and appointed powers and duties will be in accordance with Section 518 of the Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

#### **Article XIII - Vacancies and Removal of Elected Officers**

**Sec. 1301- Vacancies.** All vacancies in the elected offices and the removal of elected officers will be in accordance with Section 520 of the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

#### **Article XIV - Council of Administration**

**Sec. 1401- Duties and Powers.** The Department Council of Administration powers and duties will be in accordance with the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

**Sec. 1402 - Payment for COA Members.** Payment for the Council of Administration members attending Council of Administration meetings will be paid by the Department Quartermaster in accordance with the Department Travel and Reimbursement Policy.

#### **Article XV - Department Districts**

**Sec. 1501- Districts.** The Department of Nevada, Veterans of Foreign Wars of the United States, is hereby divided into six (6) Districts.

**District 1:** Post 3630 Topaz  
Post 3726 Carson City  
Post 8071 Virginia City  
Post 8084 Yerington  
Post 8583 Gardnerville

**District 2:** Post 2350 Elko  
Post 3547 Ely  
Post 7114 Caliente  
Post 8194 Eureka  
Post 9165 Battle Mountain

**District 3:** Post 3396 Sparks  
Post 9211 Reno  
Post 10247 Fernley  
Post 10053 Verdi

**District 4:** Post 1002 Fallon  
Post 1103 Tonopah  
Post 2313 Hawthorne  
Post 2668 Mina  
Post 6825 Schurz

**District 5:** Post 983 Henderson  
Post 10054 Pahrump  
Post 12101 Las Vegas  
Post 12093 Las Vegas  
Post 12108 Beatty  
Post 12198 Las Vegas

**District 6:** Post 36 Boulder City  
Post 243 Laughlin  
Post 3848 Henderson  
Post 7385 Mesquite  
Post 8336 Moapa Valley  
Post 10047 Las Vegas  
Post 10468 Searchlight  
Post 12119 Las Vegas

**Sec. 1502 - District Officer Powers and Duties.** District Officer powers and duties shall be in accordance with Article IV, Section 418, of the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

**Sec. 1503 - Additional Duties.** In addition to Article IV, Section 418, of the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States, it shall be within the powers of the District Commander and responsibility to set the time and place of the District Meetings and District Convention.

**Sec. 1504 - Post Delegates at District Meetings.** Post Delegates at District Meetings and District Convention will be at a ratio of one (1) delegate and one (1) alternate for each thirty {30} members or fraction thereof. At all District Meetings and Convention, Members at Large shall not have any voting privileges.

## **Article XVI - Order of Business**

**Sec. 1601- Order of Business.** The Order of Business at the Department Convention shall be:  
Opening of the Convention in Due Form

- Roll Call of Officers and Posts
- Appointment of Committees
- Officer and Program Chairmen Reports Beginning with the Commander
- Report of Committees
- Unfinished Business
- New Business
- Election of Officers
- Closing the Convention in Due Form
- Installation of Officers – Joint Installation with the Auxiliary

The Order of Business may be suspended at any time by a two-thirds (2/3) vote of the delegates present, to be taken without debate.

**Sec. 1602 - Rules of Order.** Rules of Order for all meetings will be in accordance with Article X, Section 1001, of the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

**Sec. 1603 - Rituals.** The Rituals used by this Department and subordinate bodies shall be as prescribed by the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

**Article XVII - Miscellaneous**

**Sec. 1701- Matters Not Covered.** All matters not specifically mentioned in these Bylaws shall be governed by the Congressional Charter, Bylaws, Manual of Procedure and Ritual of the Veterans of Foreign Wars of the United States.

**Article XVIII - Amendments**

**Sec. 1801- Amendments.** Wherever these Bylaws or subsequent amendments may be found to be in conflict with the present or any future National Bylaws, the latter shall prevail and be binding upon this Department as though written herein.

**These Bylaws changes were presented on the Department Convention floor on June 17, 2023, and received "Do Pass" votes on the amendments.**

**BY ORDER OF:**



WILLIAM "BILL" PIERCE  
DEPARTMENT COMMANDER

**OFFICIAL:**



DAVID SOUSA  
DEPARTMENT ADJUTANT



REVIEWED  
FOR THE COMMANDER-IN-CHIEF  
  
ASSISTANT ADJUTANT GENERAL

BY , DIRECTOR  
ADMINISTRATIVE OPERATIONS

**REVIEWED**  
By Administrative Operations at 2:27 pm, Aug 03, 2023