

May 5, 2020

JC Arens, District Commander  
District 5, Department of Nevada, VFW  
9704 Maywood Ct.  
Las Vegas, NV 89129-7919

Re: Proposed Amended Bylaws

Dear Comrade Arens:

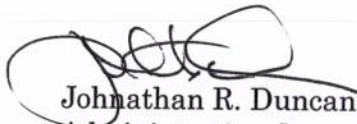
Receipt is acknowledged of the proposed revised Bylaws for District No. 5, Department of Nevada, submitted through channels for the review of the Commander-in-Chief in accordance with Section 402 of the Manual of Procedure.

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 compliance with the Congressional Charter, Bylaws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States.

A copy of the reviewed amended Bylaws has been retained for our files, another forwarded to your Department Headquarters, and two sets herewith returned.

Sincerely,

  
Johnathan R. Duncan, Director  
Administrative Operations

JRD: cl  
Enc: Revised Bylaws (2)  
cc: Department Adjutant (1)

**NATIONAL HEADQUARTERS**

406 W. 34th Street  
Kansas City, MO 64111  
Office 816.756.3390  
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## **BYLAWS**

### **DISTRICT NO. FIVE (5) - DEPARTMENT OF NEVADA**

### **VETERANS OF FOREIGN WARS OF THE UNITED STATES**

#### **ARTICLE I SUBORDINATION**

Sec. 1. The supreme power of this association is vested in the National Convention and this District shall be at all times governed by the Congressional Charter and Bylaws of the Veterans of Foreign Wars of the United States, the Bylaws of the Department of Nevada, orders issued by authority of the National Convention, National Council of Administration, the Commander-in-Chief, the Department Convention, Department Council of Administration and the Commander of the Department of Nevada. Resolutions adopted by the National Convention are held to be lawful orders.

#### **ARTICLE II COMPOSITION**

Sec. 1. The District Convention and District meetings shall consist of:

1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post in the District.
2. The National Council of Administration member who is in good standing in a Post in the District.
3. The Department Commander and Past Department Commanders who are members in good standing in a Post in the District.
4. The District Commander, all Past District Commanders who are members in good standing in a Post in the District, all elected officers of the District and the Adjutant.
5. All Post Commanders throughout the District. In the absence of the Post Commander, the Post Senior Vice Commander, or, in their absence the Post Junior Vice Commander may function as a member of the Convention or meetings.
6. Delegates to be elected by the Posts.

#### **ARTICLE III CONVENTIONS**

Sec. 1. This District shall hold an annual District Convention for the purpose of electing District Officers and for the transaction of business, such Convention to be held not less than ten (10) days nor more than seventy-five (75) days prior to the convening of the Department Convention.

#### **ARTICLE IV REGULAR AND SPECIAL MEETINGS**

Sec. 1. In addition to the annual District Convention, this District shall meet in accordance with Section 403 of the National Bylaws for Regular and Special meetings, for discussion of problems affecting the welfare of members of the Veterans of Foreign Wars and other matters as may be appropriate to the purposes of the Veterans of Foreign Wars of the United States.



- Sec. 2. **Electronic Attendance:** The District may utilize Teleconferencing technologies, both video based and audio only, to conduct meetings.

## **ARTICLE V QUORUM**

- Sec. 1. The minimum number of delegates required to constitute a quorum for the transaction of business at a District Convention or at a regular or special meeting shall not be less than one delegate each from fifty (50) percent of the Posts in the District. For the purpose of this Section, a Post Commander shall be considered a delegate.

## **ARTICLE VI DUES**

- Sec. 1. All Posts in the District shall remit annual dues to the District Quartermaster no later than the start of the District Convention of each year. The delegates of any Post failing to remit such dues by the deadline date shall be deprived of all representation at all District meetings and District, Department and National Conventions. Such representation shall be restored promptly upon proper adjustment of such deficiency.
- Sec. 2. Delegates assembled at the District Convention, provided notice has been given to each Post thirty (30) days in advance of the pending proposal, may assess or increase annual dues per member based on membership reported as of June 30<sup>th</sup> of each year.

## **ARTICLE VII DELEGATES**

- Sec. 1. Delegates to the District meetings and District Convention shall be elected in accordance with Section 222 of the National Bylaws.

## **ARTICLE VIII FUNDRAISING PROMOTIONS/SOLICITATIONS**

- Sec. 1. This District may solicit funds or contributions or otherwise engage in fundraising activities and projects by prior vote of the District agreeing to such solicitations, activities and projects in accordance with Section 414 of the National Bylaws.

## **ARTICLE IX ELIGIBILITY TO OFFICE**

- Sec. 1. Any member in good standing in a Post in this District shall be eligible to any office in this District; provided, no member shall hold two (2) elected District offices at the same time, but may hold one (1) elected and one (1) or more appointed offices.
- Sec. 2. District officers, elected or appointed, shall be eligible to hold office in a higher or lower body, and such offices may be held concurrently, except as provided for in Section 515 of the National Bylaws.

## **ARTICLE X DISTRICT OFFICERS**

- Sec. 1. The elected officers of this District shall be in accordance with Section 416 of the National Bylaws.
- Sec. 2. The Commander shall appoint the officers as required by Section 416 of the National Bylaws.
- Sec. 3. The Commander shall appoint the Judge Advocate, Surgeon, Chief of Staff, and other officers and chairman as deemed appropriate to properly conduct the affairs of the District.



- Sec. 4. District officers, elected and appointed, shall submit proof of eligibility to the District Adjutant and shall not be installed or assume the duties of their office until such proof of eligibility has been submitted and properly reviewed. Such proof of eligibility shall be open to and reviewed by the District Commander, Adjutant and Quartermaster prior to installation to office.
- Sec. 5. In the event an elected or appointed officer fails to submit proof of eligibility within thirty (30) days of election or appointment, any right of the officer to hold office shall be forfeited and the office declared vacant.

#### **ARTICLE XI**

##### **NOMINATION, ELECTION, INSTALLATION, TERM OF OFFICE**

- Sec. 1. The District officers shall be nominated, elected and installed at the District Convention in the manner prescribed in the National Bylaws and Manual of Procedure.

#### **ARTICLE XII**

##### **OFFICERS DUTIES AND OBLIGATIONS**

- Sec. 1. The officers of this District, elected and appointed, shall have such duties and obligations as prescribed in the Department Bylaws and Section 418 of the National Bylaws and Manual of Procedure.

#### **ARTICLE XIII**

##### **PAST OFFICERS**

- Sec. 1. A Past Officer is one who has been elected and installed, appointed or succeeds to a vacancy in a District office and (1) has served to the end of their term; (2) died before the expiration of their term; (3) ceased to hold office by reason of a consolidation of units; or (4) resigned to enter active military service or, while in active military, resigns office due to receipt of permanent change of station orders.

#### **ARTICLE XIV**

##### **VACANCIES AND REMOVAL OF ELECTED OFFICERS**

- Sec. 1. The District shall remove elected officers and fill vacancies in accordance with Section 420 of the National Bylaws and Manual of Procedure.

#### **ARTICLE XV**

##### **VOTING**

- Sec. 1. Each member of the District Convention or District meeting as defined in Article II of these Bylaws, except delegates elected by the Posts, present at a District Convention or meeting shall be entitled to one vote, and an individual possessing more than one qualification for membership in the District Convention or meeting shall have no more than one vote. The delegate or delegates of a Post present at a District Convention or meeting shall be entitled to vote the full delegate strength to which the Post is entitled.
- Sec. 2. Should there be a division among the delegates representing the Post, each delegate present shall have their pro-rata share of the total voting strength of the Post. For the purpose of this section, a Post Commander shall be considered a delegate.

#### **ARTICLE XVI**

##### **BYLAWS**

- Sec. 1. These Bylaws shall become effective after adoption by the District Convention and reviewed by the Department Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States.

Sec. 2. These Bylaws may only be amended or altered by the District Convention by a two-thirds (2/3) vote of the members present and voting at a meeting thereof; provided that such amendments have been forwarded through proper channels and written notice thereof, together with a copy of the proposed amendments being given to the District Commander and Adjutant for proper notice to all concerned at least four (4) weeks prior to the convening of the District Convention.

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

These Bylaws were adopted, subject to the review of the Department Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States on this 11<sup>th</sup> day of April, 2020, at the District Convention in the City of Las Vegas, and County of Clark, State of Nevada.


District No. Five (5), Department of Nevada  
Veterans of Foreign Wars of the United States

By

  
District Commander

ATTEST:

By

  
Adjutant


Received by  
Dept of NV  
4/24/20

Dick Gardner  
Adj.

Reviewed by  
Dept. Commander  
TONY YARBROUGH  
By direction



REVIEWED MAY 05 2020  
FOR THE COMMANDER-IN-CHIEF

  
KIM A. DE SHANO  
ASSISTANT ADJUTANT GENERAL  
BY JOHNATHAN R. DUNCAN, DIRECTOR  
ADMINISTRATIVE OPERATIONS