

**VETERANS OF FOREIGN WARS
DEPARTMENT OF ALABAMA**

BYLAWS

ARTICLE I

Name and Territorial Jurisdiction

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

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

ARTICLE II

Purposes

Section 1. The purposes of this association 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 authority of this Department shall be vested in the National Convention of the Veterans of Foreign Wars of the United States and shall be governed at all times 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. Subject to the provisions of the Congressional Charter and Bylaws, the government of this Department shall be vested in the 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 Montgomery, Alabama.

Section 2. All orders emanating from Department Headquarters shall be in writing.

Section 3. – Employment – The Department Service Officer shall be appointed by the State Commander in accordance with the provisions as stated in the Department of Alabama Employee Handbook.

Section 4. The Claims Consultant and Clerical will be appointed in accordance with the provisions as stated in the Department of Alabama Handbook.

ARTICLE V Council of Administration

Section 1. The Department Council of Administration shall meet at least once each quarter in the City of Montgomery or any other location in Alabama as the Council may designate, such meetings to be held at a time designated by the Commander or the Council of Administration. Special meetings may be called in accordance with the National Bylaws.

Section 2. Minutes of the Council of Administration shall be taken by a competent reporter and posted to website digital media not more than 30 days following the conclusion of said meeting. All minutes should be available for each Post, District and Council member.

(ADD) **Section 3.** In accordance with Section 522, the current voting members of the Council of Administration are the Commander, Senior Vice Commander, Junior Vice Commander, Adjutant, Quartermaster, Chaplain and District Commanders. The immediate Past Department Commander shall also be a member of the Department Council of Administration. The Department Council of Administration shall incorporate the elected offices of Judge Advocate and Surgeon as well as appointed offices of State Inspector and Chief of Staff are voting members of the Council of Administration.

ARTICLE VI Department Convention

Section 1. The Department shall hold an annual Convention in accordance with Article V of the National Bylaws.

Section 2. (a) Post delegate fees must be approved by the Council of Administration at the first Council meeting each year. The delegate registration fee shall be forwarded by each and every Post regardless of the number of delegates present at the annual Department Convention. Posts failing to comply with this provision shall be considered delinquent and in arrears.

(b) The delegate and alternate strength of each Position the Department shall be based upon one of each for every thirty (30) members or fraction thereof in good standing as of March 31st, and they shall be elected in accordance with the provisions of the National Bylaws.

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

Section 4. Voting on all elected officers shall be by roll call vote; provided that should only one candidate be nominated for an elected office, the presiding officers shall be empowered to instruct a member of the Convention to cast one vote for the nominee, who shall then be declared elected.

Section 5. Minutes of the Department Convention shall be taken by a competent reporter and posted to website digital media not more than 30 days following the conclusion of said meeting. All minutes should be available for each Post, District and Council member.

Section 6. The Department Convention shall be held each year between the dates of June 1st and July 15th, inclusive, however the Convention must be concluded not less than thirty (30) days prior to the conclusion of the National Convention.

ARTICLE VII Committees

Section 1. Convention Committee; The membership of the Convention Committee shall consist of three (3) members, Position #1 shall serve one (1) year, position #2 shall serve two (2) years and position #3 shall serve 3 three years. Position #1 will rotate off each year and the remaining members will move up one position. The State Commander will appoint a new three (3) year member and one member from the Committee to serve as Chairman.

Section 2. Budget & Finance Committee: The membership of the Finance Committee shall consist of five (5) members, Position #1 shall serve one year, position #2 shall serve two (2) years, position #3 shall serve three years, position #4 shall serve four (4) years and position #5 shall serve five (5) years. Position #1 will rotate off each year and the remaining members will move up one position. The State Commander will appoint a new five (5) year member and appoint one member from the Committee each year to serve as Chairman.

ARTICLE VIII Department Dues

Section 1. The Department dues shall be \$8.50 per annum, payable by every member in good standing, except life members, as provided for in Article V, Section 506 of the National Bylaws, Veterans of Foreign Wars of the United States.

ARTICLE IX Resolutions

Section 1. All Resolutions for Convention consideration shall be typewritten, in triplicate, and shall be in the hands of the Department Adjutant at least thirty (30) days prior to the convening of the Convention, so an appropriate copy for study thereof maybe forwarded at least fifteen (15) days prior to the convening of the Convention, to the Committee Chairman and Department Commander.

Section 2. No Resolution, other than those of condolence and appreciation, shall be considered by the Convention unless the provisions of Section 1 of this Article have been complied with, except by a two-thirds (2/3rds) vote of the Convention.

Section 3. All Resolutions approved by the Convention, which do not conflict with the provisions of the National Convention and Bylaws and the Bylaws of this Department shall be considered mandated of action or administration by all Department Officers, provided, however, that the life of an enacted Resolution shall be considered as one year, or until the time of the following Department Convention. Resolutions which are to be considered permanent must be enacted as amendments to the Department Bylaws.

ARTICLE X

Budget & Finance

Section 1. The books and records of the State Quartermaster shall be audited once each quarter by the Finance Committee and approved by the Council of Administration.

Section 2. All vehicles of the Department of Alabama, Veterans of Foreign Wars of the United States, shall be properly identified by having appropriately embossed thereon the insignia of the Veterans of Foreign Wars, Department of Alabama, which must include at least the following: "State of Alabama, Veterans of Foreign Wars", including the VFW Logo in appropriate size. Such embossment shall be in a quiet and dignified format.

Section 3. General Fund: All money received by the Department, from whatever source, which is not to be set for a designated fund or purpose, shall constitute the General Fund.

Section 4. Special Funds: The Department 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 received with the understanding, specified or implied, that they are to be devoted to the purpose indicated, together with any amounts that may be transferred by appropriation to such special funds from the general fund.

Section 5. Custody of funds:

(a) Separate accounts shall be maintained on the records of the State Quartermaster of the general fund, special funds and such funds as provided for in the National Bylaws.

(b) The State Quartermaster shall, in accordance with the provisions of the National Bylaws receive, account for and be custodian of all Department funds, securities and properties.

Section 6. Bonds: Department Quartermaster shall be bonded in a sum at least double the amount of funds or property for which they may be accountable.

Section 7. The funds of the Department now invested, or any funds that shall be invested in the future, shall not be liquidated for any purpose whatsoever, except in an emergency, and then only by a vote of three-fourths of the entire membership of the Council of Administration sitting in regular session, or at a special session called for that purpose by the State Commander. These funds must be used for the purpose they were created.

Section 8. In accordance with the National Bylaws, the Department Council of Administration will adopt at its first meeting after the Department Convention, an annual budget based upon a tentative budget as submitted by the Department Quartermaster with recommendations of the Budget & Finance Committee. No expenditure of Department funds may be authorized and exceed the allowances set forth in the annual budget, except as the Council of Administration, upon recommendation of the Budget & Finance Committee, may amend the budget from time to time.

Section 9. All Districts and Posts will forward the final copy of Form 990 filed with the IRS to the Department Adjutant/Quartermaster no later than 31 December.

ARTICLE XI Remuneration of Officers and Comrades

Section 1. Salaries: The Department Council of Administration shall at their first meeting following the Department Convention, fix the salaries and expense allowance of all Department and District officers and other Department employees.

ARTICLE XII Remittance

Section 1. All remittance of money to Department Headquarters by check, postal order, draft or other method of transmitting funds, shall be made payable to the "Department of Alabama, Veterans of Foreign Wars," without adding thereto the name of any Comrade.

ARTICLE XIII Department Districts

Section 1. (a) The State Convention shall determine the number of Districts and the boundaries thereof, which shall be established in the State. The Counties contained in each of the seven (7) Districts in the State of Alabama are as follows: District 1 – Colbert, Cullman, Franklin, Lauderdale, Lawrence, Limestone, Madison, Marion, Morgan and Winston; District 2 – Calhoun, Cleburne, Blount, Cherokee, DeKalb, Etowah, Jackson and Marshall; District 3 – Chilton, Clay, Coosa, Fayette, Jefferson, Lamar, Shelby, St. Clair, Talladega and Walker; District 5 – Autauga, Bullock, Chambers, Elmore, Lee, Lowndes, Macon, Montgomery, Randolph, Russell and Tallapoosa; District 6 – Bibb, Choctaw, Clarke, Dallas, Greene, Hale, Marengo, Perry, Pickens, Sumter, Tuscaloosa and Wilcox; District 7 – Barbour, Butler, Coffee, Covington, Crenshaw, Dale, Geneva, Henry, Houston and Pike; District 8 – Baldwin, Conecuh, Escambia, Mobile, Monroe and Washington.

(b) Department Districts shall have no legislative or taxing power except assessment of District dues and shall be governed by National and Department Bylaws to include all lawful orders.

(c) Elected and Appointed Officers in each District shall be in accordance with National Bylaws.

(d) District Officers shall be elected for terms of one (1) year with the current District Commander ensuring that all Post Commanders in the District are notified in writing at least seven (7) days prior to the District Convention of location, date and time.

(ADD) **Section 2.** In accordance with National Bylaws, Section 709 – Control of Units, each Post in the Department shall have a Post Board of Management (if required). This board shall replace a House Committee and any other committee that deals with all business ventures outside the fraternal obligations of the Veterans of Foreign Wars. Business ventures are defined as but not limited to any activity that generates funds for the Post. These ventures can be management of a fairground, bingo, canteens, parking lots, etc.

Section 3. The board members are the Commander, Quartermaster and Immediate Past Commander and shall have at least two members one which will be elected each year for a two (2) year period. In lieu of no Immediate Past Commander, Sr. Vice Commander or Jr. Vice Commander, the Post can elect another member. This member can serve a one (1) year term. Each member will have one vote and will hold at least one (1) scheduled meeting each month and special meetings as necessary, provided that no special meeting may be held without giving at least forty-eight (48) hours' notice to all members of the Committee.

ARTICLE XIV Amendments

Section 1. These Bylaws may be amended by the Department Convention by a two-thirds vote of the members present, provided no amendment shall be considered unless a copy of the same shall have been forwarded to all Posts and Department Officers at least thirty (30) days prior to the convening of the Convention. No amendment shall be executed until the same has been approved by the Commander-in-Chief.

Section 2. 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.

ARTICLE XV Miscellaneous

Section 1. Robert's Rule of Order shall be the Parliamentary Guide of the Department.

Section 2. These Bylaws shall be in full force and effect from and after their adoption, and approval of the Commander-in-Chief.

Section 3. Adoptions and Subsequent amendments:

Reviewed and approved by Commander-in-Chief, 8-27-92.

(The foregoing VFW Club regulations were regularly passed and adopted as a part of the Department Bylaws at the 15th Annual Convention of the VFW Department of Alabama held at Birmingham, Alabama, June 13 through 15, 1948.)

These Bylaws and Club regulations approved with amendments - by the Commander-in-Chief 7-13-50.

Subsequent amendments through June 1992 reviewed and approved by the Commander-in-Chief 8-27.92.

Subsequent amendments through June 1999 reviewed and approved by the Commander-in-Chief 7-28.99.

Subsequent amendments through June 2000 reviewed and approved by the Commander-in-Chief 7-25-00.

Subsequent amendments through June 2001 reviewed and approved by the Commander-in-Chief 12-12-01.

Subsequent amendments through June 2003 reviewed and approved by the Commander-in-Chief 7-1-03.

Subsequent amendments through June 2004 reviewed and approved by the Commander-in-Chief 7-23-04.

Subsequent amendments through June 2005 reviewed and approved by the Commander-in-Chief 7-25-05.

Subsequent amendments through June 2007 reviewed and approved by the Commander-in-Chief 8-1-07.

Subsequent amendments through June 2010 reviewed and approved by the Commander-in-Chief 6-16-10.

Subsequent amendments through June 2013 reviewed and approved by the Commander-in-Chief 6-17-13.

Subsequent amendments through June 2015 reviewed and approved by the Commander-in-Chief 7-25-15.

Subsequent amendments through June 2016 reviewed and approved by the Commander-in-Chief 6-15-16.

Subsequent amendments through June 2018 reviewed and approved by the Commander-in-Chief.

Subsequent amendments through June 2021 reviewed and approved by the Commander-in-Chief.

Subsequent amendments through June 2022 reviewed and approved by the Commander-in-Chief.