

VETERANS OF FOREIGN WARS OF THE UNITED STATES
DEPARTMENT OF KANSAS BY-LAWS
ARTICLE I - NAME AND JURISDICTION

- SEC. 1: This organization shall be known as the Department of Kansas, Veterans of Foreign Wars of the United States.
- SEC. 2: The territorial composition of this Department shall extend and include the State of Kansas.
- SEC. 3: The Department Headquarters shall be located in the city of Topeka, Kansas.
- SEC. 4: DISTRICTS: Effective July 1, 2014, the Department of Kansas shall be divided into seven (7) Districts, as follows:
Dist. 1 Counties of Atchison, Brown, Doniphan, Jackson, Jefferson, Leavenworth, Marshall, Nemaha, Pottawatomie and Shawnee.
Dist. 2 Counties of Anderson, Coffey, Douglas, Franklin, Johnson, Linn, Lyon, Miami, Osage and Wyandotte.
Dist. 3 Counties of Allen, Bourbon, Butler, Chautauqua, Cherokee, Cowley, Crawford, Elk, Greenwood, Labette, Montgomery, Neosho, Wilson and Woodson.
Dist. 4 Counties of Chase, Clay, Cloud, Dickinson, Ellsworth, Geary, Jewell, Lincoln, Marion, Mitchell, Morris, Osborne, Ottawa, Republic, Riley, Russell, Saline, Smith, Wabaunsee and Washington.
Dist. 5 Counties of Barber, Barton, Harper, Harvey, Kingman, McPherson, Pratt, Reno, Rice, Sedgwick, Stafford and Sumner.
Dist. 6 Counties of Cheyenne, Decatur, Ellis, Gove, Graham, Greeley, Logan, Norton, Phillips, Rawlins, Rooks, Sheridan, Sherman, Thomas, Trego, Wallace and Wichita.
Dist. 7 Counties of Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Hamilton, Haskell, Hodgeman, Kearney, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Rush, Scott, Seward, Stanton and Stevens; and effective July 1, 2014, Article I of the Department of Kansas VFW By-Laws be amended by removing Section 4 and renumbering Section 5 to become Section 4.

ARTICLE II - GOVERNING BODY

- SEC. 1: The Supreme authority of this Department shall be vested in the National Convention of the V.F.W. and this Department shall at all times be governed by the National By-Laws, together with orders promulgated by the National Council of Administration and the Commander-in-Chief.
- SEC. 2: Subordinate to the provisions of Section 1 of this Article, the Department shall be governed by the Articles of Incorporation, these By-Laws, a Department Convention, Department Council of Administration, Department Commander and lawful orders.

ARTICLE III - DEPARTMENT CONVENTION

- SEC. 1: **The Department of Kansas Veterans of Foreign Wars Convention will be held during the month of June within the guidelines of Section 503 of the National Bylaws of the Veterans of Foreign Wars**
- SEC. 2: All bids or invitations to host a Department Convention shall be submitted to the Kansas, V.F.W. Convention Corporation in accordance with the Convention Corporation By-Laws.
- SEC. 3: The Department Convention shall be under the direction and management of the Department Convention Corporation.
- SEC. 4: Standing committees of each Department Convention shall be General Resolutions, Credentials, Rules of Order, By-Laws, Membership, Community Service, Legislative, Finance, Buddy Poppy, Veterans Service and such other committees necessary to carry out the business of the convention.
- SEC. 5: All convention committees shall be appointed by the Department Commander at least sixty (60) days prior to the convening of the Department Convention.
- SEC. 6: All Resolutions/Proposed By-Law Changes for consideration by the Department Convention shall be typewritten and submitted to Department Headquarters for numbering and duplicating a minimum of thirty (30) days prior to the convening date of the Department Convention.
- SEC. 7: Resolutions/By-Law Changes not submitted as prescribed in Section 6 shall not be considered except those submitted by Convention Committees.
- SEC. 8: Post delegates and alternates to the Department Convention shall be elected on the basis of one delegate and one alternate for each 30 members or fraction thereof in good standing in the Post as of the last day of April preceding the Department Convention.
- SEC. 9: The Post Commander of a Post in arrears for National, Department or District dues, or failing to have the office of Quartermaster properly bonded in accordance with Section 703 of the National By-Laws, or failing to submit properly completed quarterly Post Trustees Report of Audit or Post election Report shall be deprived of representation in District meetings and conventions and Department conventions. Such representation shall be restored promptly upon proper adjustment of deficiencies.
- SEC 10: No person not a duly accredited, registered delegate or a registered member of the Department Convention as defined in Section 504 of the National By-laws shall participate in debate, directly or indirectly, or cast a vote on any subject before the Convention.

ARTICLE IV
DEPARTMENT COUNCIL OF ADMINISTRATION

SEC. 1: The Department Council of Administration shall meet in regular session at least four (4) times per year and at such other times as directed by the Department Commander or the Department Council. The first council meeting shall be held immediately following the Annual Department Convention. The second council meeting (Mid-Summer) shall meet within seventy (70) days after the convening of the Annual Department Convention for approving a proposed budget, Department Programs and other business necessary to carry out V.F.W. programs and activities. The third council meeting (Mid-Winter) shall be held within forty-five (45) days after the close of six (6) months business (December 31st) to evaluate and update finances, programs and other activities of the V.F.W. The fourth council meeting shall be held immediately prior to the Department Convention.

ARTICLE V
PER CAPITA TAX

SEC. 1: The Department Per Capita Tax (Department Dues) shall be established by the Department Convention on each member (except life members) in good standing in each Post within its jurisdiction. The amount shall include a year's subscription to the Kansas V.F.W. Bulletin, the official publication of the Department of Kansas, V.F.W.

ARTICLE VI
DEPARTMENT FUNDS

SEC. 1: Funds of the Department of Kansas invested as Department Dues Reserves (General Fund), (Building Fund), or any funds that shall be invested in the future, shall not be obligated or expended, except by a vote of two thirds (2/3) of the entire membership of the Department Council sitting in regular session, or at a special session called for that purpose, and then only on a recorded roll call vote.

SEC. 2: The funds of the Department budgeted for specified items in any given year, shall be balanced to zero at the end of the fiscal year, with excess in any account being reverted back to the Department Reserve Funds.

SEC. 3: Department Budget and Finance Committee shall be established to provide advice, counsel and assistance to the Department Quartermaster in preparation and maintenance of the budget. The Committee shall consist of four (4) members recommended by the Department Quartermaster and appointed by the Department Commander and approved by the Department Council of Administration. The members shall serve four (4) year terms, with one (1) member being appointed each year. Any vacancies on the Committee by death or resignation shall be filled by the same procedure and for that unexpired term. Upon approval of this Article, the members of the current Budget and Finance Committee shall serve out their unexpired terms as members of the newly constituted Budget and Finance Committee. The four selected members shall have as qualifications a formal education or professional experience in the field of budgets, investments and/or financial concerns of operating a successful business.

B: The Department Quartermaster shall submit a tentative balanced budget to the Budget and Finance Committee for review and comments prior to the Mid-Summer Council Meetings. At the Department Mid-Summer Council Meeting the Department Quartermaster shall submit the tentative balanced budget to the Department Council of Administration for its approval, disapproval or adjustment. It shall be the responsibility of the committee to review the budget during the year and recommend adjustments where necessary, providing all recommended adjustments maintain a balanced budget and are approved by the Council of Administration.

C: The Budget and Finance Committee shall review all investments at regular intervals and assist the Department Quartermaster in selecting the best and most practical Class A investments for all idle funds. At least 80% of the investments must be made only with Federal Securities or Federally insured banks or Federally insured savings association accounts. The remainder of the investments up to a maximum initial investment of \$50,000 must be invested prudently by the Quartermaster and Budget & Finance committee and reviewed by the Council of Administration.

SEC 4: A: The (4) appointed members of the Department Budget and Finance Committee shall serve as Trustees of the Department of Kansas Veterans of Foreign Wars.

B: At a time and date selected by the Department Commander, prior to the annual Department Convention and the Department Mid-Winter Convention, these committee members (Trustees) shall conduct a full and detailed audit of the books, records, and accounts of the Department Quartermaster, Adjutant, committees, officers and members involved with the expenditure of Department funds and any holding company or unit sponsored, conducted or operated by, for the Department of Kansas VFW.

C: The completed audit report shall be signed by the Department Commander and the Chairman of the Budget and Finance Committee who, by their signatures, certify the accuracy of the information provided by the report.

- D: The completed audit report(s) shall be submitted to the Department of Kansas VFW Council of Administration for review prior to convening the annual Department Convention and the Department Mid-Winter Convention.
- E: The Department Quartermaster shall, when requested by the Chairman of the Budget and Finance Committee, provide all records of Department expenditures that are required to ensure a complete and accurate audit.
- F: Department Trustees shall not serve on committees or as officers whose records and accounts are subject to audit.
- G: All audits shall be conducted at the Headquarters of the Department of Kansas VFW.
- H: Prior to submission to the members of the Department Council of Administration, the Budget and Finance Committee shall review and approve, by signature, the annual audit of Department finances conducted by a contracted accounting firm.

ARTICLE VII

DEPARTMENT VETERANS SERVICE COMMITTEE

- SEC. 1: Composition: The Department Veterans Service Committee shall consist of the Department Commander and the four (4) immediate Past Department Commanders and five (5) members to be elected by the Department Convention, each elected member serving a five (5) year term, one member to be elected each year. Whenever a Department Commander shall retire at the end of his term, he shall thereupon become a member of the Department of Kansas Veterans Service Committee and the senior Past Department Commander shall thereupon retire from the committee. In the event of death, disability or refusal to act of any of the Past Department Commanders composing the Department of Kansas Veterans Service Committee his place shall be filled by the Past Department Commander last retired from the committee who is ready, willing and able to serve.
- SEC. 2: Under the supervision of the Department Council of Administration and subject to provisions of the Department, National By-Laws, and orders of the Department Convention, the Department of Kansas Veterans Service Committee shall supervise the rehabilitation service work of the Department of Kansas, V.F.W.
- SEC. 3: The committee shall annually submit a detailed estimate of expenses, which when approved by the Department Council of Administration shall be the expenditure budget of the Department Veterans Service for the fiscal year. The committee shall appoint and prescribe the duties of all officers and employees of the Department Rehabilitation Service. The salaries of such employees and all other expenditures shall be subject to review by the Department Council of Administration.
- SEC. 4: The Department of Kansas Veterans Service Committee shall designate and prescribe the duties of all representatives of the Kansas Veterans Commission accredited to the V.F.W.
- SEC. 5: The Chairman of the Veterans Service Committee shall be the liaison between the committee, the Department Council of Administration and the Kansas Commission on Veterans Affairs.
- SEC. 6: The Department of Kansas Veterans Service Committee shall meet regularly, two (2) times each year and other times as necessary (1) meeting shall be held in May for the purpose of approving a proposed budget and other necessary business. The second (2) meeting shall be held prior to the Department Council of Administration Mid-Winter Meeting for the purpose of reviewing the service work of the Department.

ARTICLE VIII

DEPARTMENT CHAIRMEN

- SEC. 1: The standing chairmen of the Department shall be Membership, Community Service, Buddy Poppy, Club and Canteen, Veterans Service, Legislative, Budget and Finance and such other chairmen deemed necessary to promote the best interest of the V.F.W. The Department Commander shall appoint all standing Committee Chairmen.

ARTICLE IX - SUBSIDIARY UNITS

- SEC. 1: Any active unit or clubroom sponsored, conducted or operated by a Post, District, or Department shall at all times be under the direct control of the governing body and all funds derived there from shall be in the custody of the Quartermaster of the respective governing body and subject to rules and regulations set forth by the Department Convention.
- SEC. 2: CLUB AND CANTEEN REGULATIONS
 - A: A House Committee shall be elected by the Post membership to oversee the business affairs of the club. The committee shall consist of (3) members elected, plus the Commander and the Senior Vice Commander. The term of the three elected members shall be a three (3) year term, one of each of whom shall be elected annually. Trustees shall not serve on the House committee. The Post Quartermaster shall be a nonvoting ex officio participant of the House Committee and shall be the Treasurer.
 - B: The House Committee shall employ such personnel, including manager, as shall be necessary. No member of the House Committee shall serve as manager.

- C: The House Committee shall have authority to suspend all club privileges of any member for misconduct on club premises for whatever time shall be deemed proper subject to appeal to the Post membership, with or without recommendation of the manager.
 - D: The Post membership may rule on any recommendation of the House Committee by regular vote at any Post meeting. The House committee shall be responsible to the Post membership for enforcement of the club regulations and rules and shall be controlled by decisions of the membership.
 - E: The manager shall be responsible to the House Committee for the conduct of patrons, operation of the club and enforcement of club regulations. The manager can deny club privileges to any member or guest violating club rules and regulations, subject to review and determination by the House Committee.
 - F: Violations, or permitting violations, of any of these rules and regulations shall be deemed sufficient cause for discharge of the club manager. If the House Committee refuses to remove such manager upon proof of such violations, the Post membership can discharge, by vote, the said manager and all House Committee members who refuse to act under the procedures outlined in these regulations. Any member of the House Committee may be removed at any time pursuant to the provisions of Article 9 of the National By-Laws.
 - G: The House Committee and manager shall keep accurate records open to inspection of the Post Trustees at all reasonable times. All club books and records shall be subject to quarterly audit by the Post Trustees or qualified accountants appointed. Such records are further subject to audit or inspection by the Department Inspector or other authorized representatives of the Department Commander at all reasonable times.
 - H: Club By-Laws will prescribe the largest sum the manager or House Committee may spend in the operation of said club. Income and profits shall be held and deposited in the name of the Post and no other name.
 - I: The House Committee and Club Manager shall turn over to the Post Quartermaster at least once a week or when amount on hand is double amount authorized by Post membership as operating cash on hand. A specific sum shall be prescribed by vote of the Post membership as funds held for operation of club and expenditures for resupply of inventories.
 - J: The manager or any employee handling club monies shall be bonded to the Post for twice the amount normally handled.
 - K: At least once each month the club manager shall furnish to the Post Quartermaster a complete written profit and loss statement to be read, or posted, and approved by the Post membership and placed in the Post minutes. All expenditures will be supported by bills and vouchers.
 - L: All local club regulations may be amended by a majority vote of the members present at any regular or special Post meeting, subject to written notice to the membership or publication in the official Post publication at least three days prior to such meeting.
- SEC. 3:** *This section will be deleted December 30, 2016.*
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.
- SEC. 4:** A Post, at a regular meeting, if notice of intent to do so has been given at a prior regular meeting, may by two-thirds (2/3) vote of the members present declare vacant the position of any elected committee member.

ARTICLE X
AMENDMENTS

- SEC. 1: These By-Laws may be amended or altered by the Department Convention by a two-thirds (2/3) vote of the voting strength present, provided however, that no amendment shall be considered unless a copy of the same shall have been forwarded to all Posts, Districts, and Department Council Members or published in the official publication at least thirty (30) days prior to the convening of the convention.
- SEC. 2: These By-Laws and Amendments shall become effective upon review by the Commander-in-Chief.

ARTICLE XI
REPEAL

- SEC. 1: All By-Laws heretofore enacted and not embodied in these By-Laws are hereby repealed. Whenever these By-Laws or any part thereof, are in conflict with the National By-Laws, the National By-Laws shall prevail. These By-Laws were approved June 10, 1972, at the 52nd Annual V.F.W. Department Convention. These By-Laws were approved June 14, 1972, by the V.F.W. Commander-in-Chief. These By-Laws were amended June 4, 1978, at the 58th Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on July 12, 1978. These By-Laws were amended June 8, 1985, at the 65th Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on June 24, 1985. These By-Laws were amended June 8, 2001, at the 81st Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on April 9, 2002. These By-Laws were amended June 9, 2002, at the 82nd Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on July 1, 2002.

These By-Laws were amended June 11, 2004, at the 84th Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on July 19, 2004.

These By-Laws were amended June 4, 2005 at the 85th Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on July 5, 2005.

These By-Laws were amended June 5, 2011 at the 91st Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on June 23, 2011.

These By-Laws were amended June 3, 2012 at the 92nd Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on June 21, 2012.

These By-Laws were amended June 8, 2013 at the 93rd Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on June 17, 2013.

These By-Laws were amended June 8, 2013 at the 93rd Annual V.F.W. Department Convention. Amendments were approved by the Commander-in-Chief on August 23, 2013.

These By-Laws were amended June 7, 2014 at the 94th Annual V.F. W. Department Convention. Amendments were approved by the Commander-in-Chief on June 18, 2014.

These By-Laws were amended June 18, 2016 at the 95th Annual V.F.W. Department Convention.