

**AMENDED BYLAWS OF
THE DEPARTMENT OF COLORADO
VETERANS OF FOREIGN WARS OF THE UNITED STATES**

PREAMBLE

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

NAME AND JURISDICTION

ARTICLE I Section 1. Name: The subdivision of the Veterans of Foreign Wars of the United States shall be known as the Department of Colorado, Veterans of Foreign Wars of the United States, hereinafter referred to as "Department".

Section 2. Jurisdiction: The jurisdiction of the Department shall conform to the territorial limits of the State of Colorado.

PURPOSES

ARTICLE II The purposes of the 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.

SUBORDINATION AND AUTHORITY

ARTICLE III Section 1. Authority: The supreme power of the 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 and Bylaws adopted by the National Convention, mandates of the National Council of Administration and orders of the Commander-in-Chief.

HEADQUARTERS

ARTICLE IV Section 1. The permanent headquarters of this Department shall be located in the Denver Metropolitan area. Such area consisting of the counties of Adams, Arapahoe, Denver and Jefferson.

Section 2. All orders originating from Department Headquarters shall be in writing, or in electronic form.

OFFICERS AND DUTIES

ARTICLE V Section 1. The officers of the Department shall be as follows:

- (a) Elected: Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Surgeon, Chaplain.
- (b) Appointed: Adjutant, Judge Advocate, Chief of Staff, Inspector, Service Officer, and such other officers, chairpersons, committees, and assistants as may be deemed appropriate to properly conduct the affairs of the Department. With respect to salaried officers, the appointment shall be made subject to the confirmation of a majority vote of the Department Council of Administration. (Section 516 National Bylaws)
- (c) The Department Commander or Department Council of Administration may remove an elected officer, elected committee member or appointed salaried officer as prescribed in Section 520 of the Manual of Procedure.
- (d) The Department Adjutant will be responsible for the interview process for all new employees that are to be hired by the Department. The Department Adjutant may use any additional individuals they deem necessary to assist with the interview process. Upon completion of the interviews, the Adjutant will present the best possible candidate to the State Commander. The State Commander will then either appoint the individual per Article V Section 516 in the Manual of Procedure, or discuss further with the Adjutant about any other possible candidates.

Section 2. The duties of all officers shall be those prescribed in Section 518 of the Manual of Procedure of the Veterans of Foreign Wars of the United States, as it may from time to time be amended.

Section 3. Any member in good standing in a Post, in the Department shall be eligible to any office in the Department, provided no member shall hold two elected Department offices at the same time, but may hold one elected and one or more appointed offices. Elected committee members are not Department officers and accordingly may concurrently hold an elected Department office. Department officers elected or appointed, may be eligible to hold office in a higher or lower body, and such offices may be held concurrently. District Commanders shall be ineligible to simultaneously hold an elected Department office. (Section 515 National Bylaws)

Section 4. The nomination of all Department Officers, their election or appointment and terms of office shall be in accordance with the provisions of the National Bylaws. (Section 517, National Bylaws; Nomination, Election, Installation and Term of Office)

DEPARTMENT CONVENTION

ARTICLE VI

Section 1. Time: The annual convention of the Department shall be held no earlier than 90 days prior to the convening of the National Convention and shall be concluded no less than thirty (30) days prior to the conclusion of the National Convention (Section 503 of the National Bylaws).

- (a) Place: The place in which each Department Convention is held shall be designated by the time and place committee.

Section 2. Nothing in this Article shall prevent the Department Council of Administration from changing the location of a Convention as designated by the time and place committee, should, in the opinion of the Council, it be deemed in the best interests of the Department of Colorado.

Section 3. Entitlement to and voting at a Department Convention shall be in accordance with the provisions of the National Bylaws. (Section 521)

Section 4. Composition: The Department Convention shall consist of: (Section 504)

- (a) Commander-in-Chief and Past Commanders-in-Chief, who are members in good standing of a Post within the Department.
- (b) The National Council member currently holding in office, Department Commander, all Past Department Commanders who are in good standing in a Post within the Department, all elected officers of the Department, Chief of Staff, Inspector, and the State Adjutant.
- (c) All District Commanders throughout the Department. In the absence of the District Commander, the District Sr Vice Commander, or in his/her absence, the District Jr Vice Commander may be registered and function as a member of the Convention.
- (d) All Post Commanders throughout the Department. In the absence of the Post Commander, the Post Senior Vice Commander, or, in the Senior Vice Commander's absence, the Post Junior Vice Commander may be registered and function as a member of the Convention.
- (e) Delegates elected by the Post in the ratio of one (1) delegate for each thirty (30) members or fraction thereof in good standing. (Section 222)
- (f) Any Post in arrears for any financial obligations to the District, Department and National for fees, dues, poppy money, supply money, failing to have the office of the Quartermaster properly bonded in accordance with Section 703, failing to submit properly completed quarterly Post Trustees Report of Audit, Post Election Report for the ensuing year, or other obligations, shall be deprived of all representation in the District meetings, District,

Department, and National Convention. Such representation shall be restored promptly upon proper adjustment of such deficiencies. (Section 213 National Bylaws)

- (g) A delegate's registration fee, an amount which will be set by the Council of Administration, shall be paid by each Post for each and every delegate. 1 delegate for every 30 members or fraction thereof (Art II, Sec 222) to which each Post shall be entitled. The delegates and alternates must be a member in good standing and a member of the Post they are a delegate of. The Department Quartermaster shall verify the delegate strength of each Post as of March 31. (Art II Sec 222). No Post shall be so charged during the first year of its existence. The delegate registration fee as herein mentioned shall be forwarded by each and every Post, regardless of the number of delegates and/or alternates present at an annual Department Convention and must be in the hands of the Department Quartermaster no later than fifteen (15) days before the convening of the Department Convention each year. Posts failing to forward the full delegate registration fee shall be considered delinquent and in arrears. The Department Quartermaster shall set up a Department Convention Fund, and all Department delegate registration fees received by him/her shall be placed herein and only used and expended as and for expenses incurred and expenditures made in the holding of an Annual Department Convention.
- (h) The Department of Colorado may, upon authorization by the National Bylaws or the Commander-in-Chief, use electronic means to hold a Department Convention be attended electronically, provided that a quorum consisting of 1 delegate each from 10 Posts in the Department is physically present where the convention is to be held, that the technology used allows all participating members to communicate with each other simultaneously, and that additional rules pertaining to the conduct of the electronic meeting are adopted (RONR (12th ed.) 9:36).

ORGANIZATION

ARTICLE VII Section I. The several constituted bodies of this Corporation shall be subordinate to and governed by the Bylaws, rules, regulations and lawful orders of the National Organization and the Bylaws, rules, regulations and lawful orders of this Department, and shall consist of the following.

- (a) All chartered Posts of the Veterans of Foreign Wars of the United States within the State of Colorado.
- (b) All chartered Districts of the Veterans of Foreign Wars of the United States within the State of Colorado.

COUNCIL OF ADMINISTRATION

ARTICLE VIII

Section 1. The Council of Administration shall consist of the Commander, the Senior Vice Commander, the Junior Vice Commander, the Adjutant, the Quartermaster, the Judge Advocate, the Chief of Staff, the Inspector, the Surgeon, the Chaplain, and the current District Commanders.

Section 2. (a) The District Commanders shall consist of one member from each of the Districts here in after created within the Department. District Commanders shall be elected for a term of one year at District Conventions to be held prior to the Department Convention in accordance with the provisions of the National Bylaws.

(b) The District Commander of each District shall be the chief representative of the District. In the absence of the District Commander, the District Sr. Vice Commander, and in the absence of the District Commander and Sr. Vice Commander, the District Jr. Vice Commander may function as a member of the Department of the Council of Administration.

Section 3. The retiring Department Commander shall also be a member of the Department Council of Administration with a vote, until such time as another Department Commander retires, unless the incoming Department Commander retires before the expiration of one year, in which case the retiring Department Commander shall serve in the Department Council of Administration until the next Department Convention.

Section 4. The duties and powers of the Department Council of Administration shall be those as provided in Section 522, of the National Bylaws, Veterans of Foreign Wars of the United States, as it may from time to time be amended.

Section 5. The Department of Colorado Council of Administration may, upon authorization by the National Bylaws or the Commander in Chief, use electronic means to hold a Council of Administration meeting provided there is a minimum of 25% quorum is physically present where the meeting is to be held, that the technology used allows all participating members to communicate with each other simultaneously, and that additional rules pertaining to the conduct of the electronic meeting are adopted (RONR (12th ed.) 9:36).

REPORTS AND RETURNS

ARTICLE IX

Section 1. In addition to specific provisions of the National Bylaws, all elected officers shall make to the Department Convention, at each stated meeting, full and complete reports in writing of the operations of their office, and when retiring from office shall deliver to their successors all monies, books and other property of the Department in their possession or under their control.

BUDGET AND FINANCE

ARTICLE X

Section 1. The Department Council of Administration shall approve an annual budget by October 31 covering the financial operations of the Department for the ensuing year. (Section 522 (c))

- (a) The Department Quartermaster shall prepare a tentative budget for the financial operations of the Department, for the ensuing year in accordance with the provisions of Section 518 (4) (k) of the Manual of Procedure, for submission to the Department Council of Administration for consideration at its first meeting following the Department Convention.
- (b) All Council members shall receive, for their review, a copy of any proposed budget at least two (2) weeks before it is presented for consideration at a Council of Administration meeting.
- (c) The Council of Administration shall have the power to establish the compensation of all Department officers and employees. (Section 522 (c))

Section 2. No officer or group of officers shall incur expenditures or in any manner obligate the Department without first having received proper authority.

Section 3. Each accountable officer of this Department shall be bonded in accordance with Article VII Section 703 of the National Bylaws of the Veterans of Foreign Wars of the United States. The annual accounting of such officers shall be audited as directed by the Council of Administration.

Section 4. When a motion or resolution concerning the expenditures of funds is adopted by the Department Convention, such motion or resolution shall be accepted as an advisory recommendation to the Department Council of Administration. If considered favorable by the Council of Administration, it shall be included in the annual Department Budget as an anticipated expenditure.

Section 5. Department Building Fund: There is hereby created a separate fund to be known as the Department Building Fund, to be used for the purpose of providing for a Department Headquarters Building. All funds contributed to such fund and all earnings thereon shall be used for no other purpose.

Section 6. The annual per capita tax of the Department shall be the sum of Nine Dollars (\$9.00), and same shall be paid in accordance with the provision of the National Bylaws and lawful orders.

ORDER OF BUSINESS

ARTICLE XI The order of business of the Department Convention shall be:

1. Opening of the Convention in due form.
2. Roll call of officers.
3. Adopt Convention rules as appropriate.
4. Appointments of Committees.
5. Report of officers, beginning with that of the Department Commander (Reports of Department officers may be submitted in printed form to assembly delegates).
6. Reports of Committees.
7. New Business.
8. Election and Installation of Officers.
9. At the second and each succeeding session, a resume of the preceding session may be furnished to the delegate assembly.
10. The order of business may be suspended at any time by a two-thirds vote of the delegate assembly at Convention, to be taken without debate.
11. Closing of Convention in due form.

RITUAL

ARTICLE XII Section 1. The ritual to be used by the organization and subordinate bodies shall be as prescribed by the National Congressional Charter and Ritual of the Veterans of Foreign Wars of the United States and shall not be deviated from in any form.

DEPARTMENT DISTRICTS

ARTICLE XIII Section 1. The Department of Colorado, Veterans of Foreign Wars of the United States, is hereby divided into Districts to consist of the following counties and or portions thereof. When a new Post is started, the Council of Administration will determine which District the Post will be placed in, according to the Department of Bylaws.

District 1

City and County of Denver

District 2

Custer
Fremont
Huerfano
Las Animas
Pueblo

District 7

Alamosa
Conejos
Costilla
Mineral
Rio Grande
Saguache
District 8
Chaffee
Eagle
Jefferson (town of Conifer only)

District 11

Delta
Garfield
Gunnison
Hinsdale
Mesa
Montrose (Montrose city only)
Ouray
Pitkin

District 3

Adams (city of Brighton only)
 Boulder
 Broomfield
 Larimer
 Weld

Lake
 Park
 Summit

District 9

Grand
 Jackson
 Moffat
 Rio Blanco
 Routt

District 4

Logan
 Morgan
 Phillips
 Sedgwick
 Washington
 Yuma

District 5

Elbert
 El Paso
 Teller

District 6

Baca
 Bent
 Crowley
 Otero
 Prowers

District 12

Archuleta
 Dolores
 La Plata
 Montrose (except Montrose city)
 Montezuma
 San Juan
 San Miguel

District 13

Arapahoe (town of deer trail only)
 Cheyenne
 Kiowa
 Kit Carson
 Lincoln

District 10

Adams (except city of Brighton)
 Arapahoe (except town of deer trail)
 Clear Creek
 Douglas
 Gilpin
 Jefferson (except town of Conifer)

REHABILITATION AND SERVICE COMMITTEE

ARTICLE XIV Section 1. Composition: State Commander, State Sr Vice Commander, three (3) immediate Past State Commanders of the Department of Colorado, Department Service Officer and one member to be appointed by the State Commander. The State Commander may designate the Chairman and other officers of the committee as they may deem appropriate.

Section 2. Meetings shall be held at the call of the Chairman of the State Commander.

Section 3. The Rehabilitation and Service Committee shall have administrative authority over the rehabilitation and service work of the Department, subject to the National Bylaws and Manual of Procedure of the Veterans of Foreign Wars of the United States, the Bylaws of the Department of Colorado, and the direction of the Council of Administration. There shall be established and maintained, Rehabilitation and Service accounts, from which funds may be disbursed for rehabilitation and service work of the Department. This includes administrative services, service office expenses and salaries, educational programs and materials, assistance to hospitals and nursing homes, public relations programs concerning veterans benefits and their families, grants to Post Relief funds, grants to the National Home and such other related purposes as the Council of Administration may deem to be in the best interest of the Veterans of Foreign Wars of the United States.

Section 4. The Department Quartermaster shall be the Treasurer and custodian of the Rehabilitation and Service accounts per Article V Section 518 (a) (4) (b) of the Manual of Procedure.

AMENDMENTS

ARTICLE XV Section 1. Any proposed amendment to these Bylaws may be acted upon at any Department Convention provided that a copy of the proposed amendment is given to the Council of Administration, sixty days prior to the date of the Department Convention. The Department Adjutant shall, at least 30 days prior to the convening date of the Department Convention, notify all Post Commanders of the Department of the proposed amendment. Any proposed amendment submitted per the Department Bylaws shall be declared adopted upon two-thirds (2/3) yes vote. No amendment shall be effective until the amendment has been approved by the Commander-in-Chief.

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.

Robert M. Kidd Sr.
State Commander
Department of Colorado
Veterans of Foreign Wars of the United States

Attested by: Bruce R Dolan
State Adjutant/Quartermaster
Department of Colorado
Veterans of Foreign Wars of the United States



REVIEWED JUL 01 2021
FOR THE COMMANDER-IN-CHIEF

BY JOHNATHAN R. DUNCAN, DIRECTOR
ADMINISTRATIVE OPERATIONS