

**DEPARTMENT OF CALIFORNIA
VETERANS OF FOREIGN WARS
DEPARTMENT BY-LAWS**

**ARTICLE I
NAME**

The organization shall be known as "The Department of California, Veterans of Foreign Wars of the United States", and its territorial jurisdiction shall conform with the territorial boundaries of the State of California.

**ARTICLE II
SUPREME AUTHORITY**

The Supreme Authority of this association shall be lodged in the National Convention of the Veterans of Foreign Wars of the United States, and this association shall at all times be governed by the Congressional Charter and By-Laws of the said National Convention, together with legislation enacted by the National Convention and orders promulgated by the Commander-in-Chief, in accordance with the said Congressional Charter and By-Laws.

**ARTICLE III
DISTRICTS**

SECTION 1 – *Formation and Existence*

Districts of the Departments shall be created, exist, possess officers and perform duties and activities in accordance with the terms and provisions of the National By-Laws and Ritual of the Veterans of Foreign Wars of the United States and the provisions herein contained.

The Department shall be divided into not more than twenty-five (25) Districts, in accordance with the mandate of the Department Convention held in Ontario, California, June 20-25, 2008 inclusive.

DISTRICT NO. 1

County of San Diego.

DISTRICT NO. 2

County of Orange.

DISTRICT NO. 3

County of San Bernardino, except Post No. 1950, Trona, Post No. 7264, Joshua Tree, Post No. 7347, Yucaipa and Post No. 9431, Yucca Valley.

DISTRICT NO. 4

County of Los Angeles, along with Districts No. 5, 6 and 7 to include Posts No. 875, 1253, 1622, 1732, 1746, 1846, 1961, 2075, 2122, 2828, 2830, 2967, 3261, 4682, 5394, 7138, 7243, 8615, 9148 and 10166.

DISTRICT NO. 5

County of Los Angeles, along with Districts No. 4, 6 and 7 to include Posts No. 490, 1013, 2248, 4697, 9793, 9938 and 11087.

DISTRICT NO. 6

County of Los Angeles, along with Districts No. 4, 5, and 7 to include Posts No. 1053, 1944, 2018, 2070, 2474, 3089, 3197, 3208, 3752, 6315, 7734, 8070, 8620, 9902, 10218, and 12038.

DISTRICT NO. 7

County of Los Angeles, along with District No. 4, 5, and 6 to include Posts No. 1614, 2323, 2805, 3552, 3834, 4140, 6110, 6213, 6885, 7799, 8310, 10040, 11508, except Post No. 10049 located in Ventura County which is under the jurisdiction of District No. 7.

DISTRICT NO. 8

Counties of Ventura, Santa Barbara and San Luis Obispo, except Post No. 10049, Simi Valley.

DISTRICT NO. 9

County of Kern, except Post No. 4084, Ridgecrest, Post. No. 5948, Tehachapi, Post No. 7156, Mojave, Post No. 7665, Lake Isabella, Post No. 9375, California City and Post No. 9657, Rosamond.

DISTRICT NO. 10

Counties of Alpine, Inyo and Mono. Post No. 4084, Ridgecrest, Post No. 5948, Tehachapi, Post No. 7156, Mojave, Post No. 7665, Lake Isabella, Post No. 9375, California City and Post No. 9657, Rosamond, all located in Kern County, Post No. 1950, Trona, located in San Bernardino County and Post No. 2989, Lake Los Angeles,

Post No. 3000, Quartz Hill, and Post No. 7283, Lancaster, all located in Los Angeles County, are under the jurisdiction of District No. 10.

DISTRICT NO. 11

Counties of Fresno, Madera and Mariposa, except Post No. 9454, Coulterville, Post No. 2487, Los Banos, located in Merced County are under the jurisdiction of District No. 11.

DISTRICT NO. 12

Counties of Monterey, San Benito, San Mateo, Santa Clara, Santa Cruz, except Post No. 8750, Daly City.

DISTRICT NO. 13

Counties of Amador, Calaveras, Merced, San Joaquin, Stanislaus and Tuolumne, except Post No. 2487, Los Banos, Post No. 9454, Coulterville, located in Mariposa County are under the jurisdiction of District No. 13.

DISTRICT NO. 14

Counties of Alameda and San Francisco, including Post No. 8750, located in San Mateo County.

DISTRICT NO. 15

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DISTRICT NO. 16

Counties of Marin, Sonoma, Mendocino, Lake, Napa and Solano.

DISTRICT NO. 17

County of El Dorado, Nevada, Placer, Sacramento and Yolo.

DISTRICT NO. 18

Counties of Butte, Colusa, Glenn, Sutter, Tehama and Yuba, except Post No. 1932, located in Red Bluff and under the jurisdiction of District No. 20.

DISTRICT NO. 19

Counties of Sierra, Plumas, Lassen and Modoc.

DISTRICT NO. 20

Counties of Trinity, Shasta and Siskiyou, and Post No. 1932, Red Bluff, Tehama County.

DISTRICT NO. 21

Counties of Humboldt and Del Norte.

DISTRICT NO. 22

Imperial County and the section of Riverside County East of the San Jacinto and Santa Rosa Mountains, bordered on the North by the San Bernardino County line and on the East by the California-Arizona border, not including Twenty-nine Palms Post No. 4229, situated at Twenty-nine Palms, San Bernardino County and Joshua Tree Post No. 7264, situated at Joshua Tree, San Bernardino County. Also including Post No. 9431, Yucca Valley, and San Bernardino County. Earp-Big River Post 10997 located in Big River is under the jurisdiction of District 22.

DISTRICT NO. 23

All of Riverside County lying East of the Orange County line bound on the North and Northwest by San Bernardino County line and bound on the East by the San Jacinto Mountains and the Santa Rosa Mountains, including Post No. 7347, Yucaipa Valley, including the City of Beaumont.

DISTRICT NO. 24

All of Tulare and Kings County West of the Inyo County line, South of the Fresno County line, North of the Kern County line, Southeast of the Monterey County line and Northeast of the San Luis Obispo County line, the City of Coalinga will be part of District No. 24.

DISTRICT NO. 25

County of Contra Costa.

**ARTICLE IV
PER CAPITA TAX**

SECTION 1

The Department Per Capita Tax shall be \$10.00 of which fifty percent (50%) of the gross revenue derived from per capita tax levies received by Department during the fiscal year of July 1 through June 30 shall be impounded in a Dues Reserve Fund. No money shall be disbursed, nor shall any obligation be incurred against this fund until after July 1 of

the following Fiscal Year, at which time all monies to the credit of the fund shall be transferred to the General Fund for expenditures in accordance with the approved budget.

SECTION 2

Each year in accordance with the approved budget the Per Capita tax available shall by approval of the Department Council of Administration be allocated as needed.

SECTION 3

Admission fees received shall be used for extension purposes, organization of new Posts and membership recruiting. Such fees shall be carried in a separate fund and expended for purposes indicated.

SECTION 4

Department Funds shall not be used to subsidize and or purchase membership dues unless the funds were raised for such purpose and or specifically allocated for such purpose within the adopted budget.

ARTICLE V COUNCIL OF ADMINISTRATION

SECTION 1

The Council of Administration shall meet at least 3 times throughout the year for business purposes, once within 48 hours of the adjournment of the State Convention at the Convention site location and again if necessary, in October or November at a location selected by the State Commander and again in January at a location in Sacramento and finally just prior to the State Convention at the Convention site location. Special meetings called by the State Commander or upon the written request of the majority of the Council of Administration will be held at a location to be determined by the State Commander.

SECTION 2

The Council shall, by budget, establish salaries and/or expenses for Department Officers and Assistants; the allowances, if any, to be made to the Council members, the Department Sergeant-at-Arms; the Editor of "The California Veteran", and committees for attendance at council meetings.

SECTION 3

The State Quartermaster shall prior to April 1 of each year prepare a tentative budget for the financial operations for the ensuing year, said budget shall be in balance and restricted funds shall be budgeted separately in every instance. The tentative budget shall be presented to the Board of Trustees for review and submitted to the Council of

Administration for consideration and adoption at its first meeting following the State Convention.

The expenditures outlined within major categories of the adopted budget shall not exceed the budgeted amount, except when it has been determined by the State Quartermaster and Board of Trustees that funds are available. If funds are available, such approval shall be approved by a two-thirds (2/3) vote of the Council of Administration present and voting at a regular or special meeting.

SECTION 4

The Council of Administration shall confirm the appointment of the Department Adjutant, Department Legislative Advocate, Legislative Committee Chairman, the Department Service Director, Service Committee Chairman, the Convention Chairman/Director and the members of the Board of Review.

SECTION 5

In addition to other legal requirements under existing local laws, the Council of Administration shall have the authority to purchase, sell or mortgage any Real Estate, only after written notice of such a proposal has first been given to all members of the Council of Administration, 30 days prior to such a regular or special meeting at which the proposal is to be considered, and then only by two-thirds (2/3) vote of approval of those members at a regular or special meeting.

SECTION 6

The Department Commander shall not solicit the Council of Administration to vote by a mailed ballot on any issue pertaining to the spending of monies. Only a properly convened meeting, regular or special, of the Council of Administration may be used to gain authorization for the expenditure of funds not covered by the then approved Department Budget.

SECTION 7

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SECTION 8

That the members of the Council of Administration must have the advice and the recommendation of the Department Judge Advocate before taking action on any Contract that is to be signed by the Department Officers binding the Department of California to such a contract.

SECTION 9

When the VFW, Department of California, is considering to have a fund raiser that is identical and will conflict with the Ladies Auxiliary fund raiser which they have in operation now, and have had in prior years, a Liaison Committee, composed of the State VFW. Senior Vice Commander, the State VFW Junior Vice Commander and the State VFW. Adjutant-Quartermaster shall meet with the State Ladies Auxiliary to the VFW and come to a definite understanding, before it can be put before the men's VFW Council of Administration for approval.

ARTICLE VI DELEGATES

SECTION 1

Each Post, at a regular or special meeting held not later than May 1st annually shall elect (1) one delegate and (1) one alternative to the Department Convention for every (30) thirty members or a fraction thereof in good standing in the Post on the membership cut-off date for the month of April of the then current year.

ARTICLE VII DEPARTMENT CONVENTION

SECTION 1

Convention sites shall be determined no more than five (5) years in advance.

SECTION 2

Cities desiring to host Department Conventions shall submit a request through the appropriate District and/or Department Headquarters on forms provided, outlining the site, hotel and meeting space information. It shall be the responsibility of the Department Adjutant-Quartermaster and/or designated individual(s) to obtain, review, and prepare the appropriate material for the Council of Administrations selection and/or approval.

SECTION 3

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SECTION 4

The Council of Administration shall review, select and approve Department Convention site(s) annually at least three years in advance.

SECTION 5

Conventions of the Department of California, Veterans of Foreign Wars of the United States, shall not exceed five (5) days duration inclusive of the first Council of Administration meeting and will be held not earlier than ninety (90) days prior to, and be concluded not later than thirty (30) days prior to the convening of the National Convention.

SECTION 6

Each Post, in accordance with the provisions of the National By-Laws, pay a (\$6.00) six dollar registration fee for each accredited delegate to the Department Convention. The Department Quartermaster shall place these funds in a restricted convention account and all funds not used during the current convention shall be held within said account for future conventions.

SECTION 7

- a. Resolutions may be submitted to Department Headquarters by Posts, Districts or County Councils if the Resolution was acted on at a regular or special meeting. Resolutions must be signed by the respective Commander and attested to by the Adjutant. In order for the Resolution to be published in the Tally Book it must be received at Department no later than May 1st of each year. Any member of the current Council of Administration and all Past Department Commanders may also submit Resolutions.
- b. Resolutions submitted at the Department Convention shall be submitted in writing no later than the close of the business session on the second day of the Convention."

**ARTICLE VIII
COMMITTEES**

SECTION 1

- a. Standing committees of each Department Convention shall be as follows:

Registration	Americanism
Credentials	Legislative
Organization & Rules	Veterans Employment
General Resolutions	Service & Hospital
Constitution, By-Laws & Ritual	

- b. The Department Commander will appoint all members of the Department Convention Committees, in such numbers as he deems advisable and in doing so will designate the Chairman and Vice Chairman of each. He may appoint such

additional Department special committees as he deems advisable or required of him by the Department Convention, Department By-Laws, Department Council of Administration, National Convention, National By-Laws, National Council of Administration or the Commander-in-Chief. The Department Commander may serve as an ex-officio member on all committees during his presence at committee meetings.

- c. The Credentials Committee and the Organization and Rules Committee will meet in advance of the convening of the convention to establish registration criteria and Convention Rules of Order.
- d. The General Resolutions Committee will receive all resolutions not otherwise directed to other committees, and may function through subcommittees to be appointed by the Committee Chairman.
- e. The Americanism Committee will receive all resolutions dealing with (1) Americanism; (2) Youth Activities; (3) Patriotism; (4) and all other matters falling within the scope of Americanism.

SECTION 2

- (a) The following VFW Program Committees may be appointed by the Department Commander to serve during the Administrative period:

- Buddy Poppy
- Citizenship Education
- Community Activities
- Legislative Activities
- Military Service Programs
- Membership
- Safety and Recognition
- Veterans Service Programs
- Youth Activities

- (b) Each committee may consist of a Chairman, Vice Chairman, and at least (3) members, the Department Commander may appoint as many committee members as deemed necessary and shall designate the Chairman and Vice Chairman of each committee.
- (c) Travel reimbursement and or expenses authorized for Committee Chairman and its members shall not exceed the amount appropriated in the budget for the administrative year as approved by the Council of Administration.

SECTION 3 – Legislative

This Committee shall guard the welfare of the Veteran in Local, State and National legislation that would benefit the Veteran, his dependents, or his survivors and take action to avert or remove legislation unfavorable to the Veteran as it deems best.

The State Legislative Committee shall keep the membership informed of Legislation affecting Veterans on State and National level, and make recommendations for action to the Council of Administration.

SECTION 4 – Public Relations

This Committee shall be charged with proper relations of this organization with the community or other unit of society, whether for prevention, conservation, emergency relief, or the cause of the Veteran in his relation to the citizenry. It may function through subcommittees, at the option of the Chairman, who shall have authority to appoint such subcommittees.

SECTION 5 – *Board of Trustees*

The Board of Trustee's shall, at least quarterly, properly audit the Quartermaster's Financial Records, the Adjutant's Records, ensure compliance with the Congressional Charter and By-Laws Sec. 517 and the Manual of Procedure Sec. 517 and review the current year Budget for compliance as approved by the Council of Administration. The committee shall submit a detailed report of such audit and all other activity of the committee to the Department Commander for submission to the Department Council of Administration.

The Board of Trustee's shall review the tentative budget for the financial operations for the ensuing year at it's quarterly meeting held in either April/May and shall report any discrepancies and make such recommendations as necessary to the incoming Department Commander and Council of Administration prior to its adoption.

A member of this committee shall be known as a State Trustee and appointed for a term of five (5) years. The State Commander shall appoint the Chairman and Vice Chairman from the members on the committee. Not more than one (1) member from the same District may serve on the board, nor shall any member of the board serve in any other Department position, either elected or appointed.

SECTION 6

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SECTION 7 – Redistricting

A Redistricting Committee shall be appointed for the purpose of reestablishing boundaries of any or all Districts in the Department of California:

- 1. When the Department Commander feels it is necessary.*
- 2. When a District or Districts, by a two-thirds (2/3) majority vote, at any special called District meeting for such specified purpose or at a regular District Convention, requests this be done.*
- 3. When the Council of Administration, by at least a two-thirds (2/3) majority vote, directs this to be done.*
- 4. When the Convention Delegates assembled at a Department Convention by a majority vote, directs this be done.*

When one (1) of the above criteria is met, the Department Commander shall appoint a Redistricting Committee, consisting of not less than five (5) members in good standing to review the boundaries of the District or Districts in question.

The Redistricting Committee shall report to the succeeding Department Convention which shall have the sole prerogative, by a two-thirds (2/3) majority vote, to adopt or reject the recommendations of the Redistricting Committee.

No District or Districts shall be divided where the establishment of a new District with less than twelve (12) posts and a minimum aggregate of one thousand (1,000) members immediately after division exist.

Districts of less than five (5) Posts or less than five hundred (500) members may be cancelled by recommendation of the Department Commander.

SECTION 8 – By-Laws, Policies and Procedures

By direction of the State Commander this committee shall be responsible for reviewing, evaluating and recommending changes of, but not limited to, the By-laws, Policies and or Procedures of the Department of California, Veterans of Foreign Wars. This committee shall report all activities to the State Commander at least annually. Members of the Committee shall serve for the following terms:

- (a) One (1) for one (1) year term
- (b) One (1) for two (2) year term
- (c) One (1) for three (3) year term

The Committee members shall rotate up (1) one year and the (3) three-year member shall be appointed by the State Commander. The State Commander shall designate the

member who is serving the (1) one year term to be Chairman. A member of the Department Council of Administration nor more than (1) member from a District shall serve at any one time.

ARTICLE IX SERVICE DEPARTMENT

SECTION 1

The Department Service Director shall be an actively practicing Service Officer of the Department of California, fully accredited with the General Counsel's Office of the U.S. Department of Veterans Affairs. The Department Service Director, in accordance with the policies and procedures adopted by the Department Service Committee and approved by the Department Council of Administration, shall be responsible for the administration, supervision and technical guidance of all activities, programs and personnel of the Department Service Program.

SECTION 2

The Department Service Committee shall consist of the State Commander, Senior Vice Commander, Junior Vice Commander, Jr. Past State Commander, and (1) one appointed member at the discretion of the State Commander who will serve as the Chairman. The State Adjutant/Quartermaster, and Service Director shall be non voting members of the committee.

SECTION 3

Under the supervision of the Department Council of Administration, and subject to the provisions of the Department By-Laws and orders of the Department Convention, the Department Service Committee shall establish the policy under which the Veterans Service work of the Department shall be conducted and make appropriate budget recommendations.

SECTION 4

The Department Service Committee shall establish the practice and procedures for representation by Service officers accredited to the Department of Veterans Affairs or other federal or state government agencies through the VFW, Department of California provided these procedures do not conflict with any provision of the National By-Laws or policies and procedures as adopted by the National Veterans Service Committee.

SECTION 5

All welfare, poppy and service monies allocated to Veterans Service work shall be kept in a separate fund and disbursed as approved by the Department Council of Administration.

**ARTICLE X
OFFICIAL PUBLICATION**

SECTION 1

The official publication of the Department of California, Veterans of Foreign Wars shall be, "The California Veteran".

SECTION 2

The Department Commander shall appoint an Editor with salary as authorized by the Council of Administration.

SECTION 3

The publication will reflect and abide by the official mandates of the Department Convention.

SECTION 4

The Department Commander may appoint a Business Manager who will be charged with the advertising in "The California Veteran".

SECTION 5

The Department Commander, the Department Adjutant and the Editor of "The California Veteran" will have control of the content of The California Veteran, including the type of advertising sold and published.

**ARTICLE XI
DEPARTMENT FUNDS**

SECTION 1

Department Funds shall not be used under any circumstances as a loan or donation to any individual or individuals, nor shall they be used as a loan or donation to finance, or assist to finance, any private, or public, business firm, corporation or promoter.

SECTION 2

Department funds shall be disbursed in accordance with Section 517(a)(4) of the National VFW Manual of Procedure and only the Department Quartermaster's signature shall be required.

ARTICLE XII

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**ARTICLE XIII
MISCELLANEOUS**

The Department Commander is authorized to issue citations and awards when properly requested. No awards or citations of any description shall be issued by the Department of California or by any County Council, District or Post within the Department to any candidate for an elective public office between the date of the final day for the filing of a candidacy to office and the date of the final or general election day.

SECTION 1 – Consolidations

Two or more Posts may consolidate under the Provisions of Section 209, VFW By-Laws and Manual of Procedure.

SECTION 2 – Men’s Auxiliary

A Post in the Department may form a Men’s Auxiliary in accordance with Article XIII of the National By-Laws, Manual of Procedure, and procedures and rules established by the Department.

**ARTICLE XIV
AMENDMENTS**

SECTION 1 – By-Law Amendments

These By-laws may only be amended or altered by the State Convention by a two-thirds vote of the members present at a stated meeting thereof; provided, that such amendments have been forwarded, through channels, have been properly approved and have been proposed by a Post, a County Council, a District, or have been recommended by a State Officer, including Past State Commanders and written notice thereof, together with a copy of the proposed amendment, has been given each Post by the State Adjutant at least thirty (30) days before the assembling of the State Convention. All amendments adopted at any State Convention according to the provisions of this section shall take effect thirty (30) days after the final adjournment of the State Convention at which they were adopted.

SECTION 2

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SECTION 3

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CERTIFICATE

I hereby certify that the above By-Laws of the Department of California Veterans of Foreign Wars of the United States, were reviewed and adopted by the 17th Department Convention in Oroville in 1937, were duly approved by the Commander-in-Chief; were amended by resolution of subsequent Department Conventions; and were revised and amended by the 41st Annual Department Convention in 1961; by the 42nd Annual Department Convention in 1962; by the 45th Annual Department Convention in 1965; by the 46th Annual Department Convention in 1966; by the 47th Annual Department Convention in 1967; by the Annual Department Convention in 1969; by the 50th Annual Department Convention in 1970; by the 51st Annual Department Convention in 1971; by the 54th Annual Department Convention in 1974; by the 55th Annual Department Convention in 1975; by the 56th Annual Department Convention in 1976; by the 57th Annual Department Convention in 1977; by the 58th Annual Department Convention in 1978; by the 59th Annual Department Convention in 1979; by the 61st Annual Department Convention in 1981; by the 62nd Annual Department Convention in 1982; by the 63rd Annual Department Convention in 1983; by the 66th Annual Convention in 1986; by the 67th Annual Department Convention in 1987; by the 68th Annual Department Convention in 1988; and the 69th Annual Department Convention in 1989, and as amended by the 70th Annual Department Convention in June, 1990, and as amended by the 71st Annual Department Convention in June, 1991, and as amended by the 72nd Annual Department Convention in June, 1992, and as amended by the 73rd Annual Department Convention in June, 1993, and as amended by the 74th Annual Department Convention in June, 1994, and as amended by the 75th Annual Department Convention in June, 1995, and as amended by the 76th Annual Department Convention in June, 1996, and as amended by the 77th Annual Department Convention in June 1997, and as amended by the 79th Annual Department Convention in June 1999, and as amended by the 80th Annual Department Convention in July 2000, and as amended by the 81st Annual Convention in July 2001, and as amended by the 82nd Annual Convention in June 2002, and as amended by the 83rd Annual Convention in June 2003, and as amended by the 84th Annual Convention in June 2004, and as amended by the 85th Annual Convention in June 2005, and as amended by the 87th Annual Convention in June 2007, and as amended by the 88th Annual Convention in June 2008.

JOHN G. LOWE
State Adjutant\Quartermaster