

May 14, 2019

Carlos Lozano, District Commander District 10, Department of Arizona, VFW 2571 E. Balsam Ct. Chandler, AZ 85286-2471

Re: Proposed Amended Bylaws

Dear Comrade Lozano:

Receipt is acknowledged of the proposed revised Bylaws for District No. 10, Department of Arizona, VFW 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 were in substantial compliance with the Congressional Charter, Bylaws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States; however have been modified for compliance. To preclude any misunderstanding of the additions and/or deletions, an informal document has been attached.

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

Sincerely,

David E. Prohaska, Director Administrative Operations

DEP: cl

Enc: Revised Bylaws (2)

NATIONAL HEADQUARTERS

WASHINGTON OFFICE

Charles Lawton

From:

Zach Schwenk

Sent:

Tuesday, April 30, 2019 3:31 PM

To:

Charles Lawton

NATIONAL BYLANGIMANUAL OF PROLEDURE CONFILIO.

Subject:

FW: Arizona dist 10 by-law change

Attachments:

Arizona Dist 10 bylaw ch.pdf

From: VFW Arizona [mailto:azvfw3@gmail.com]

Sent: Tuesday, April 30, 2019 3:24 PM
To: Zach Schwenk <ZSchwenk@vfw.org>
Subject: Arizona dist 10 by-law change

Here ya go Zach. Arizona District 10 by-law change to be approved.

Congressional Charter of the Feterans of Fareign Wars of the United States.

Thanks, Ski

L. Ski Kuczynski z socian reference, Section 414 of the Manual of Procedure provider for the solventials of

AZ VFW Dept. Quartermaster/Adjutant

6423 South Ash Avenue

Tempe, AZ 85283

480-941-5258 Fax 480-994-3730

azvfw3@gmail.com

Veterans of Foreign Wars

APR 3 0 2019

Replant from less than thirty (50) days prior to the District Convertion at which the Electric officers are to be

NATIONAL BYLAWS/MANUAL OF PROCEDURE CONFLICT

DISTRICT 10 ARIZONA

Article II Section 1

Replace "Constitution" with "Congressional Charter"

Reason: To conform to the Congressional Charter of the Veterans of Foreign Wars of the United States.

Article IV Section 1

Replace "sixty (60)" with "seventy-five (75)"

Reason: To conform to Section 403 of the National Bylaws.

Article IV Section 3

Replace "one fourth (1/4)" with "fifty (50) percent"

Reason: To conform to Section 403 of the National Bylaws.

Article IV Section 6

Replace "412, National Constitution and Bylaws and Section 312" with "414 of the"

Reason: Incorrect section reference, Section 414 of the Manual of Procedure provides for the solicitation of funds.

Article IV Section 8 (b)

Add "Inspector"

Reason: To conform to Section 416 (b) of the National Bylaws.

Article IV Section 9

Replace "415" with "417"

Reason: Incorrect section reference, Section 417 provides for the nomination, election, installation and term of office.

Article IV Section 10

Replace "416" with "418"

Remove "Constitution and"

Reason: Incorrect section reference, Section 418 provides for the duties of District officers. To conform to the Congressional Charter of the Veterans of Foreign Wars of the United States.

Article IV Section 11

Replace "not less than thirty (30) days prior to the District Convention at which the District officers are to be elected" with "in April"

Replace "fifteen (15)" with "thirty (30)"

Reason: To conform to Section 222 of the National Bylaws and Manual of Procedure.

Article VI Section 1

Remove "Article XIII, Section 1301 of the National Bylaws"

Reason: Incorrect section reference, Section 1401 of the National Bylaws provides for amendments to the National Manual of Procedure and Ritual. This section of the District Bylaws pertains to resolutions.

Article VII Section 1

Add "and voting"

Reason: A member may abstain their vote and decline to vote either for or against a motion or proposal.

Article VII Section 2

Add "and voting"

Reason: A member may abstain their vote and decline to vote either for or against a motion or proposal.

Article VII Section 3 (New)

Add "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."

The Material Council of Administration member who is in speci stanting in a Past butter

Reason: To conform to Section 402 of the National Bylaws.

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BYLAWS DISTRICT 10 DEPARTMENT OF ARIZONA VETERANS OF FOREIGN WARS

ARTICLE I NAME AND JURISDICTION

Section 1:

NAME: This subdivision of the Department of Arizona, Veterans of Foreign Was of the United States shall be known as District Ten (10), hereafter referred to as "District".

Section 2:

JURISDICTION: The jurisdiction of the District shall consist of those Posts assigned by the Department of Arizona as listed in the Department Bylaws.

ARTICLE II OBJECTS

Section 1:

OBJECTS: The objects of the District shall be as set forth in the *Congressional Charter* and National Bylaws, together with the Bylaws of the Department of Arizona and to offer all possible aid and assistance to every Post in the District.

ARTICLE III GOVERNING BODY

Section 1:

GOVERNING BODY: The District Convention will be governed by the District Commander, subordinate to the Department and National Conventions.

Section 2:

The District Convention and Meetings shall consist of:

- a. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post in the District.
- b. The National Council of Administration member who is in good standing in a Post in the District.
- c. The Department Commander and Past Department Commanders who are members in good standing in a Post in the District.
- d. 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.
- e. 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.
- f. Delegates to be elected by the Posts in the District.

ARTICLE IV CONVENTIONS

Section 1:

CONVENTIONS: The annual District Convention for the election of officers and transaction of business shall be held not less than ten (10) days nor more than seventy-five (75) days prior to the convening of the Department Convention.

Section 2:

MEETINGS: Regular meetings shall be held on a Sunday in the months of July, October and January for the transaction of business and any other matter pertaining to the District or Veterans of Foreign Wars that may come before the body. The time and place of the District Convention will be set at the January Meeting.

Section 3:

QUORUM: The minimum number of delegates required to constitute a quorum for the transaction of business at a District Meeting or Convention shall not be less than one (1) member each from fifty (50) percent of the Posts in the District. For the purpose of this section the Post Commander shall be considered a delegate.

Section 4:

DISTRICT DUES: The annual District dues shall be seventy-five (75) cents per Post member annually based on the transmittal of April the thirtieth (30th). Dues are payable NLT the first District Meeting of the new year.

Section 5:

A registration fee shall be assessed each member attending a District Meeting or Convention. Such amount of fee to be established by a two-third (2/3) vote at a District Meeting.

Section 6:

SOLICITATION OF FUNDS: Solicitation of funds will be provided as to Section 414 of the Manual of Procedure. No Post will solicit funds at any District Convention, meeting or special meeting excluding host Posts normal functions, without the approval of the District Commander.

Section 7:

ELIGIBILITY TO OFFICE: Any member in good standing in a Post in the District shall be eligible to any office in the District; provided that 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. District officers, elected or appointed shall be eligible to hold office in a higher or lower body. Such offices may be held concurrently.

Section 8:

DISTRICT OFFICERS:

- a. The elected officers of each District shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain and three (3) Trustees.
- b. The Commander shall appoint the Adjutant, Service Officer, Inspector, Officer of the Day, Guard and other such officers as deemed necessary for the pleasure of the District Commander. The Trustees shall audit the books and records of the Quartermaster and Adjutant at each regularly scheduled meeting and report of such audits shall be furnished to the Department as required of the District.

c. District officers, elected or appointed shall submit proof of eligibility for the files of the Adjutant prior to their installation following their election or appointment. Such proof of eligibility records shall be open to the District Commander, District Adjutant and District Quartermaster. District officers, elected or appointed shall not be installed or assume the duties of their office until such proof of eligibility is in the files of the District Adjutant.

Section 9:

Nomination, election, installation and term of office shall conform to Section 417 of the National Bylaws.

Section 10:

DUTIES OF OFFICERS: Duties of officers shall conform to Section 418 of the National Bylaws and such duties as assigned by the District Commander.

Section 11:

DELEGATES: Delegates to the District Convention shall be elected at a regular meeting of the Post held *in April*; one (1) delegate and one (1) alternate for each *thirty* (30) members or fraction thereof in good standing in the Post of the current year.

ARTICLE V COMMITTEES

Section 1:

COMMITTEES: All Committee shall be appointed by the District Commander within fifteen (15) days following the annual District Convention for the election of officers. The standing committees shall be (1) Service and Welfare; (2) Employment; (3) Legislative; (4) Youth Activities; (5) Resolutions; (6) Publicity; (7) Buddy Poppy; (8) Voice of Democracy; (9) Loyalty Day; (10) Safety; (11) Community Service; and (12) Membership.

ARTICLE VI RESOLUTIONS

Section 1:

RESOLUTIONS: All resolutions to be submitted to the Department must be in accordance with Article VI of the Department Bylaws.

Section 2:

SUBMISSIONS: All resolutions submitted by the Posts to the District must be typewritten, printed, or mimeographed in triplicate and must be in the hands of the District Resolutions Committee not less than sixty (60) days prior to the Department Convention.

ARTICLE VII MISCELLANEOUS

Section 1:

DISTRICT FUNDS: A budget meeting shall be held as soon as practical after the District Commander assumes office to establish an annual budget for the ensuing year. The Budget Committee shall be composed of all District officers elected and appointed and Post Commanders. The proposed budget will be presented at the first District meeting in July for approval of the floor. District funds expended other than that authorized in the budget will be expended upon a majority of the delegates present and voting at a regular meeting.

Section 2:

AMENDING BYLAWS: These Bylaws may be amended only by a two-thirds (2/3) vote of the delegates present and voting at the District Convention. No amendment will be considered unless a copy of same has been forwarded to all Posts in the District at least thirty (30) days prior to the annual District Convention. A copy of any and all amendments adopted by the District Convention shall be forwarded through channels and reviewed by the Commander-in-Chief prior to becoming effective.

Section 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 APPROVED BY DELEGATES ASSEMBLED IN CONVENTION ON THE 28^{TH} DAY OF APRIL, 2019 IN APACHE JUNCTION, ARIZONA.

District Adjutant

District Commander

REVIEWED TAY 1 4 2019 FOR THE COMMANDER-IN-CHIEF

MM A. DE SHANO ASSISTANT ADJUTANT GENERAL BY DAVID E. PROHASKA, DIRECTOR ADMINISTRATIVE OPERATIONS



VETERANS OF FOREIGN WARS OF THE UNITED STATES

www.vfw.org | info@vfw.org

States, the By-Verya of the Department of Ashana, and July 7, 2014 athousty of the

Derek J. Tramondo, District 10 Commander
Department of Arizona, VFW
261 W. 20th Ave. #1
Apache Junction, AZ 85120

Re: Proposed By-Laws

Dear Mr. Tramondo:

Receipt is acknowledged of the proposed By-Laws for District No. 10, Department of Arizona, submitted through channels for the review of the Commander-in-Chief in accordance with Section 402 of the Manual of Procedure.

form to the Concressional Charter of the Veterans of Foreign Wars of the United States.

A review of the proposed By-Laws disclosed substantial compliance with the Congressional Charter, By-Laws, Manual of Procedure, Ritual, and laws and usages of the Veterans of Foreign Wars of the United States; however, needed modification for compliance. To preclude any misunderstanding of the additions and/or deletions, an informal document has been attached.

A copy of the reviewed By-Laws, with the corrections noted thereon, has been retained for our files, another forwarded to your Department Headquarters, and two sets herewith returned.

Replace "412, National Constitution and by-Layes, and Sincerely, 2. Manual of Procedure." With "414 of the

David E. Prohaska, Director (Interim)
Administrative Operations

DEP:tg

Enc: By-Laws (2)

cc: Department Adjutant (1)

Reason: To conform to Souther 417 of the Hattanel By-Leng and Manuel of Procedure

NATIONAL BY-LAWS/MANUAL OF PROCEDURE CONFLICTS VFW DISTRICT 10 DEPARTMENT OF ARIZONA VFW

Article I Section 3 (New)

Add "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 By-Laws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of Arizona, 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 Arizona. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders."

Reason: To preclude any misunderstanding on the governing authorities of the District.

Article II Section 1

Replace "Constitution" with "Congressional Charter and National"

Reason: To conform to the Congressional Charter of the Veterans of Foreign Wars of the United States.

Article III Section 2 (d)

Replace "all elected officers of the District, the District Adjutant and all past District Commanders who are members in good standing in a Post in the District." With "all Past District Commanders who are members in good standing in a Post in the District, all elective officers of the District and the Adjutant."

Reason: To preclude any misunderstanding on the governing body. To conform to Section 404 of the National By-Laws.

Article III Section 2 (e)

Replace "District Convention Meeting." With "Convention or meetings."

Reason: To conform to Section 404 of the National By-Laws.

Article IV Section 6

Replace title with "Convention and Meeting"

Replace "412, National Constitution and By-Laws, and Section 312, Manual of Procedure." With "414 of the National By-Laws and Manual of Procedure."

Reason: To conform to Section 414 of the National By-Laws and Manual of Procedure.

Article IV Section 8 b.

Add "Chief of Staff, Inspector" after "Adjutant"

Reason: To conform to Section 416 of the National By-Laws and Manual of Procedure.

Article IV Section 9

Replace "415 of the National Constitution and By-Laws" with "417 of the National By-Laws and Manual of Procedure."

Reason: To conform to Section 417 of the National By-Laws and Manual of Procedure.

Article IV Section 10

Replace with "The officers of this District shall have such duties and obligations as prescribed in the Department By-Laws and Section 418 of the National By-Laws and Manual of Procedure."

Reason: To conform to Section 418 of the National By-Laws and Manual of Procedure.

Article VI Section 1

Replace "XIII, Section 1301 of the National By-Laws." With "XIV, Section 1401 of the National By-Laws and Manual of Procedure."

Reason: Article XIII, Section 1301 of the National By-Laws and Manual of Procedure govern the formation of a Men's Auxiliary. This District By-Law section is referring to amendments/resolutions.

Article VII Section 3 (New)

Add "Wherever these By-Laws or subsequent amendments may be found to be in conflict with the present or any future Department or National By-Laws the latter shall prevail and be binding on this District as though written herein."

Reason: To conform to Section 402 of the National By-Laws and Manual of Procedure.

Redo Adoption Clause

Section 1:

ARTICLE 2 OBJECTS

and Section. Resolutions edopted by the Nettonal Convention are held to be

nstration the Commander-in-Chief, the Department Convention, .

OBJECTS: The objects of the Circlet shall be as set forth in the Congressional Charter and Mathemal By-Lews, topether with the By-Laws of the Department of Arizona and to offer all possible aid and assistance to eye a Pert in the District.

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GOVERNING EGBY: The District will be governed by the District Commander, as Department and National Conventions.

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BY-LAWS DISTRICT 10 VETERANS OF FOREIGN WARS DEPARTMENT OF ARIZONA

ARTICLE NO. 1 NAME AND JURISDICTION

Section 1:

NAME: This subdivision of the Department of Arizona, Veterans of Foreign Wars of the United States, shall be known as District Ten (10), hereafter referred to as "District".

Section 2:

JURISDICTION: The jurisdiction of the District shall consist of those Posts assigned by the Department of Arizona as listed in the Department By-Laws.

Section 3:

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 By-Laws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of Arizona, 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 Arizona. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE 2 OBJECTS

Section 1:

OBJECTS: The objects of the District shall be as set forth in the Congressional Charter and National By-Laws, together with the By-Laws of the Department of Arizona and to offer all possible aid and assistance to every Post in the District.

ARTICLE 3 GOVERNING BODY

Section 1

GOVERNING BODY: The District will be governed by the District Commander, subordinate to the Department and National Conventions.

Section 2:

The District Meeting shall consist of:

- a. The Commander-in-Chief and Past Commanders-in-Chief who are in good standing in a Post in the District.
- b. The National Council of Administration member who is a member in good standing in a Post in the District.

Page 1 of 4

- c. The Department Commander and all Past Department Commanders who are members in good standing in a Post in the District.
- d. The District Commander, all Past District Commanders who are members in good standing in a Post in the District, all elective officers of the District and the Adjutant.
- e. All Post Commanders in the District. In the absence of the Post Commander, the Post Senior Vice Commander, or, in his absence, the Post Junior Vice Commander may function as a member of the Convention or meetings.
- f. Delegates elected by the Posts in the District.

ARTICLE NO. IV CONVENTIONS

Section 1:

CONVENTIONS: The annual District Convention for the election of officers and transaction of business shall be held not less than ten (10) days nor more than seventy five (75) days prior to the convening of the Department Convention.

Section 2:

MEETINGS: Regular meetings shall be held on a Sunday in the months of July, October, and January for the transaction of business and any other matter pertaining to the District or Veterans of Foreign Wars that may come before the body. The time and place of the District Convention will be set at the January Meeting.

Section 3:

QUORUM: The minimum number of delegates required to constitute a quorum for the transaction of business at a District Meeting or Convention shall not be less than one (1) member from fifty (50) percent of the Posts in the District. For the purpose of this section the Post Commander shall be considered a delegate.

Section 4:

DISTRICT DUES: The annual District dues shall be fifty (50) cents per Post member annually based on the transmittal of April the thirtieth (30th). Dues are payable within sixty (60) days after the annual District Convention. Posts in arrears will have no voice or vote at any District Convention or Meeting.

Section 5:

A registration fee shall be assessed each member attending a District Meeting or Convention. The fee will be established by a two-thirds (2/3) majority vote at a District Meeting.

Section 6:

CONVENTION AND MEETING: Solicitation of funds will be provided as to Section 414 of the National By-Laws and Manual of Procedure. No Post will solicit funds at any District Convention, Meeting, or Special Meeting, excluding host Posts normal functions, without the approval of the District Commander.

Service: and (12) Manbarship

Section 7:

ELIGIBILITY TO OFFICE: Any member in good standing in a Post in the District shall be eligible to any office in the district; provided, no member shall hold two (2) elective District offices at the same time, but may hold one (1) elective and one (1) or more appointive offices. District officers, elective or appointive, shall be eligible to hold office in a higher or lower body. Such offices may be held concurrently. District Commanders shall be ineligible to simultaneously hold an elected Department office.

Section 8:

DISTRICT OFFICERS:

- a. The elected officers of each District shall be Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain, and three (3) Trustees.
- b. The Commander shall appoint the Adjutant, Chief of Staff, Inspector, Officer of the Day, Service Officer, Guard, and such officers as he deems necessary for the pleasure of the District Commander. The Trustees shall audit the books and records of the Quartermaster and Adjutant at each regularly scheduled Meeting and report of such audits shall be furnished to the Department as required of the Posts.
- c. District Officers, elected or appointed, shall submit proof of eligibility for the files of the Adjutant prior to their installation following their election or appointment. Such proof of eligibility records shall be open to the District Commander, District Adjutant, and District Quartermaster. District Officers, elected or appointed, shall not be installed or assume the duties of their offices until such proof of eligibility is in the files of the District Adjutant.

Section 9:

Nomination, election, installation and term of office shall conform to Section 417 of the National By-Laws and Manual of Procedure.

Section 10:

DUTIES OF THE OFFICERS: The officers of this District shall have such duties and obligations as prescribed in the Department By-Laws and Section 418 of the National By-Laws and Manual of Procedure.

Section 11:

DELEGATES: Delegates to the District Convention shall be elected at a regular Meeting of the Post held not less than thirty (30) days prior to the District Convention at which the District Officers are to be elected; one (1) delegate and one (1) alternate for each thirty (30) members or fraction thereof, in good standing in the Post of the current year.

ARTICLE NO. V

Section 1:

COMMITTEES: All committees shall be appointed by the District Commander within fifteen (15) days following the annual District Convention for the election of officers. The standing committees shall be (1) Service and Welfare; (2) Employment; (3) Legislative; (4) Youth Activities; (5) Resolutions; (6) Publicity; (7) Buddy Poppy; (8) Voice of Democracy; (9) Loyalty Day; (10) Safety; (11) Community Service; and (12) Membership.

ARTICLE NO. VI RESOLUTIONS

Section 1:

RESOLUTIONS: All resolutions to be submitted to the Department must be in accordance with Article VI of the Department By-Laws and Article XIV, Section 1401 of the National By-Laws and Manual of Procedure.

Section 2:

SUBMISSIONS: All resolutions submitted by the Posts to the District must be typewritten, printed, or mimeographed in triplicate and must be in the hands of the District Resolutions Committee not less than sixty (60) days prior to the Department Convention.

ARTICLE NO. VII MISCELLANEOUS

Section 1:

DISTRICT FUNDS: A Budget Meeting shall be held as soon as practical after the District Commander assumes office to establish an annual budget fur the ensuing year. The budget committee shall be composed of all District Officers elected and appointed and Post Commanders. The proposed budget will be presented at the first District Meeting in July for approval of the floor. District funds expended other than that authorized in the budget will be expended upon a majority of the delegates present at a regular Meeting.

Section 2:

AMENDING BY-LAWS: These By-Laws may be amended only by a two-third (2/3) majority of the delegates present at the District Convention. No amendment will be considered unless a copy of same has been forwarded to all Posts in the District at least thirty (30) days prior to the annual District Convention. A copy of any and all amendments adopted by the District Convention shall be forwarded through channels and approved by the Commander-in-Chief prior to becoming affective.

Section 3:

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

These By-Laws 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 6th day of April, 2014, at the District Convention in the City of Apache Junction, State of Arizona.

District No. 10 Department of Arizona Veterans of Foreign Wars of the United States

District Commander

FOR THE COMMANDER-IN-CHIEF

JERRY L. NEWBERRY

ASSISTANT ADJUTANT GENERAL BY DAVID E. PROHASKA DIRECTOR (INTERIM) ADMINISTRATIVE OPERATIONS

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