

# BY-LAWS

**ART HORSELL** DESCHUTES POST NO. 4108

VETERANS OF FOREIGN WARS OF THE UNITED STATES

## *ARTICLE I*

### *NAME AND LOCATION*

- Sec. 1. By virtue of the charter granted, this Post shall be known as **Art Horsell** Deschutes Post No. 4108, Veterans of Foreign Wars of the United States.
- Sec. 2. The location of this Post shall be in the City of Redmond, County of Deschutes, State of Oregon.

## *ARTICLE II*

### *SUBORDINATION*

- Sec. 1. The supreme power of this association is vested in the National Convention and this Post 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 Oregon, 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 Oregon. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

## *ARTICLE III*

### *MEETINGS*

- Sec. 1. Place: The regular chartered location of this Post shall be, **491 SW Veterans Way**, Redmond, Oregon 97756.
- Sec. 2. Time: The regular meetings of the Post shall be held on the first Thursday of each month, to be called to order at 7 p.m. The Post may, after at least fourteen (14) days written notice to the Department Commander and the members of the Post, change its meeting place, appointed day or time upon a majority vote of the members present at a regular or special meeting called for such purpose.
- Sec. 3. Special meetings may be called in accordance with the provisions of the National By-Laws.
- Sec. 4. Quorum: Five (5) members in good standing shall constitute a quorum for the transaction of business at a regular or special meeting.
- Sec. 5. Meeting Minutes:
- Minutes of each Post meeting shall be taken, documented and filed by the Adjutant. Post meeting minutes shall be read or printed for the next regularly scheduled meeting and approved by the Post members present.
  - The Post shall purchase a recording device for use by the Adjutant.
  - The Post Adjutant shall record all proceedings of any regular or special meeting. The recording device shall assist the Adjutant in documenting details into the Post meeting minutes and used as reference material. The recordings and meeting minutes shall be

retained permanently in the Post office after the date the recordings were made. Backup copies shall be kept at a separate safe location in the building.

- d. The Post Adjutant may remove any records, necessary to properly transcribe Post meeting minutes. Under normal conditions, the time allowed should not exceed ten days. After that time, all books and records shall be returned to the Post.

#### **ARTICLE IV MEMBERSHIP**

- Sec. 1. Membership in this Post, eligibility to, application for, acquiring and maintenance of, loss of and discipline shall be in accordance with the provisions of the National By-Laws.
- Sec. 2. The admission fee and the Post Dues shall be payable in accordance with the National By-Laws.
- Sec. 3. The Post Commander will appoint the Investigation Committee chairperson for new membership applicants.

#### **ARTICLE V OFFICERS**

- Sec. 1. Eligibility to, nomination, election or appointment, installation and term of office shall be in accordance with the provisions of the National By-Laws.
- Sec. 2. The duties of all officers shall be those prescribed by National and Department By-Laws, lawful orders as the Post may direct and as these By-Laws may provide.
- Sec. 3. One copy of the Post By-Laws shall be issued to each elected and appointed officer of this Post.

#### **ARTICLE VI COMMITTEES AND DUTIES**

- Sec. 1. In compliance with Sec. 218 (a) 1 (e) of the National Manual of Procedures, the Commander, on the night of election, or as soon thereafter as possible, shall appoint the Adjutant, **Chaplain**, Judge Advocate, Surgeon, Officer of the Day, Service Officer, Guard and such other officers, chairpersons and committees as he/she deem appropriate to properly conduct the affairs of the Post.

The chairpersons must meet any and all State, County or City regulations, regarding their committee chairmanship before managing any such committee. The Commander shall, by the same section 218, be a member of all committees. The Post Quartermaster, by virtue of his/her office, shall be the Treasurer of all committees handling funds.

- Sec. 2. The Standing Committees of the Post shall be as follows:
  - (a) Americanism
  - (b) Community Services
  - (c) Budget
  - (d) Hospital/Chaplain

(e) The House Committee

The House Committee is elected by the Post. Duties are to include proper operation of the Canteen and upkeep of the Post Home and its property.

(f) National Legislative

(g) Membership

(h) Buddy Poppy

(i) POW/MIA

(j) Publicity

(k) Safety

(l) Youth Activities; including Voice of Democracy and Patriots Pen

(m) Web Master

(n) VFW Riders Group

(o) Any other Committee(s) deemed needed by the Post Commander, according to section 218 (a) 1 (e) of the Manual of Procedure to properly conduct the affairs of the Post.

**ARTICLE VII**

**CONTROL OF SUBSIDIARY UNITS**

- Sec. 1. Any activity, unit or clubrooms sponsored, conducted or operated by the Post, incorporated separately from the Post or unincorporated, shall be at all times, under the direct control of the Post.
- Sec. 2. All funds derived from any of the above shall be in the custody of the Post Quartermaster.
- Sec. 3. All money, property and assets of every kind as well as all records in connection therewith used, held and owned by any of the above activities is the property of the Post and must be placed in the care and custody of the Post Quartermaster.
- Sec. 4. For purpose of this Article, Articles XI and XII govern the Veterans of Foreign Wars Auxiliary, Military Order of the Cootie and its Auxiliary, respectively of the National By-Laws and Manual of Procedure of the Veterans of Foreign Wars and their respective By-Laws, Rules and Regulations.

**ARTICLE VIII**

**EXPENDITURE OF FUNDS**

- Sec. 1. Expenditure of funds shall be made only after prior authorization by the Post and on proper voucher drawn by the Adjutant/Chairperson and approved by the Commander. All checks for the expenditure of Post funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing the same. Other expenditures may be made using acceptable banking practices, the reference number of each transaction to correspond with the voucher authorizing the same. Unless otherwise provided for in these By-Laws, all disbursements of Post funds shall bear the signature of the Quartermaster

or other person(s) authorized by the Quartermaster. Such other authorized person(s) shall be bonded in accordance with Section 703 of the National By-Laws.

- Sec. 2. The adoption of this Article shall constitute authorization by the Post and Canteen for the payment of all costs of operation, within the approved budget.
- Sec. 3. No other payment or expenditure, beyond the Budget, shall be made except on the specific authorization of the Post assembled in the General Meeting.
- Sec. 4. The financial matters of the Canteen will be the responsibility of the House Committee and approved by the Post Quartermaster.

***ARTICLE IX  
COMPENSATION***

- Sec. 1. No compensation shall be paid to any officer of this Post for their services, except as stated hereafter in Sec. 2 of Article IX.
- Sec. 2. For services rendered, the Post may, by majority vote, pay the annual dues of the Adjutant and Quartermaster for the periods or parts of periods they serve as such, and such other compensation commensurate with their duties as may be determined and specified by vote of the Post.

***ARTICLE X  
FUNDRAISING PROMOTIONS/SOLICITATIONS***

- Sec. 1. Any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in behalf of the Post, incorporated, separately from the Post or incorporated, shall at all times be under the direct control of the Post and all funds derived there from shall be at all times under the direct control of the Post. All money, property or assets of any kind or nature, as well as all books and records owned, held or used, by any activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in behalf of the Post shall be the property of the Post and must be placed in the care and custody of the Post Quartermaster. No Post and no activity, clubroom, or holding company or unit sponsored, conducted or operated by, for or on behalf of the Post, may own any property jointly or in common with any individual, firm, partnership, association, corporation or other business or charitable entity. Nor may they participate in any arrangement whereby the funds of such Post, or activity, clubroom, holding company or unit sponsored, conducted or operated by, for or in its behalf are expended or property held by another entity for the joint use of the Post, or individual, firms, partnerships, associations, corporations or other business or charitable entities, except that property may be held jointly or in common a Post or unit of a congressionally chartered veterans organization, provided the arrangement allows for the prominent display of the names, trademarks, or service marks of the Veterans of Foreign Wars of the United States and is not contrary to any provision of law or these By-Laws.
- Sec. 2. This Post shall solicit funds or donations only by prior vote of the members agreeing to the proposition. It shall not solicit funds or donations or otherwise engage in fundraising activities or projects outside the immediate geographical area or community of the Post.

- Sec. 3. This Post shall not enter into any agreement with a promoter, for the purpose of raising funds unless the said promoter shall have first furnished a good and sufficient surety bond in a principal sum sufficient to give the Post ample protection in the particular circumstances. The said bond shall be subject to the approval of the Post Advocate, bear the endorsement of the Post Commander and be kept in the possession of the Post Quartermaster. The bond will be conditioned on the payment to the Post Quartermaster of all monies due the Post as a result of the solicitation, within thirty (30) days of the close of the campaign. If the promoter has made satisfactory settlement within the thirty day period, then surety will be determined to be discharged, otherwise the bond will remain in full force and effect.
- Sec. 4. If a surety bond cannot be furnished, then all collections shall be made by the members of the Post sponsoring the campaign or entertainment and said funds shall be paid to a bonded officer of the Post who shall hold the funds in his custody pending proper pro rata distribution.
- Sec. 5. Fundraising organizations or individuals conducting solicitations, activities or projects for a profit shall not be engaged or used by the Post for such purpose unless such engagement is made by written agreement between the Post and the organization or individuals providing those services. The form of any such written agreement must be submitted to the Department Commander for review at least thirty (30) days prior to any Post entering into any such agreement.
- Sec. 6. Unless previously authorized by a majority vote of the Post, no solicitations or ticket sales shall be permitted in the Post facilities or at socials or meetings unless such solicitations or ticket sales have been approved by the Post.
- Sec. 7. The appointed Committee, as necessary, shall confine any such solicitations or ticket sales to stated meetings and socials of the Post in or around the Post facilities.

**ARTICLE XI**  
**MISCELLANEOUS**

- Sec. 1. Every member of this Post shall keep the Post Adjutant and Quartermaster advised of their current address by promptly reporting any change of same.
- Sec. 2. In all Post procedures not provided for by the Congressional Charter and National By-Laws, Manual of Procedure or these By-Laws, Robert's Rules of Order, Newly Revised, shall be the Authority, and it shall be the duty of the Judge Advocate, in an advisory way, when called upon to do so by the Post Commander, to advise the Post Commander on the proper rule or rules.

**ARTICLE XII**  
**SPEECHES**

- Sec. 1. No member will be permitted to speak on any one subject (Pro or Con) more than twice; and the first time no longer than five (5) minutes, and the second time no longer than three (3) minutes, with the exception of a committee or special report and recommendations and visiting guests who have a message to impart.

**ARTICLE XIII**  
**AMENDMENTS**

- Sec. 1. These By-Laws shall become effective after adoption by this Post and after review by the Commander of the Department and Commander-in-Chief of the Veterans of Foreign Wars of the United States.
- Sec. 2. Unless otherwise provided for in these By-Laws, these By-Laws may be amended by the Post by a two-thirds vote of the members present at a stated meeting provided each member had been notified at least twenty (20) days in advance and upon request provided a copy of the proposed amendments. All amendments shall be forwarded through channels and reviewed by the Department Commander and the Commander-in-Chief before becoming effective.
- Sec. 3. Wherever these By-Laws, or subsequent amendments may be found to be in conflict with the present or any future National By-Laws and By-Laws of the Department, the latter shall prevail and be binding upon this Post as though written herein.

These By-Laws were adopted, subject to the review of the Commander-in-Chief and the Commander State of Department of Oregon Veterans of Foreign Wars of the United States on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at a regular meeting of this Post in the City of Redmond and County of Deschutes, State of Oregon.

**Art Horsell** Deschutes Post No. 4108  
Veterans of Foreign Wars of the United States

Date: \_\_\_\_\_

By: \_\_\_\_\_

Commander

OFFICIAL:

By \_\_\_\_\_

Adjutant