



VETERANS OF FOREIGN WARS OF THE UNITED STATES

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September 18, 2018

Gorman Bonds, Commander
De Bary Post No. 8093, VFW
351 S. Charles Richard Beall Blvd
Debary, FL 32713-3716

Re: Proposed Amended By-Laws

Dear Comrade Bonds:

Receipt is acknowledged of the proposed revised By-Laws for Post No. 8093, VFW, submitted through channels for the review of the Commander-in-Chief in accordance with Section 202 of the Manual of Procedure.

These documents have been designated amended By-Laws to reflect their replacement of previously reviewed By-Laws.

A review of the proposed amended By-Laws discloses that they were in 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 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 By-Laws, 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 By-Laws (2)
cc: Department Adjutant (1)

NO ONE DOES MORE FOR VETERANS.

DEPARTMENT OF FLORIDA
VETERANS OF FOREIGN WARS
OF THE UNITED STATES

Daniel Anderson – State Commander
Tony Purdy – Sr. Vice Commander



Eugene L. Perrino Sr. – Adjutant/Quartermaster
Glen Tilley – Jr. Vice Commander

August 14, 2018

David E. Prohaska
Director, Administrative Operations
VFW National Headquarters
406 West 34th Street
Kansas City, Missouri 64111

Veterans of Foreign Wars
AUG 18 2018
Administrative Operations

Dear Director Prohaska:

I am enclosing the original and three (3) copies of the amendments to the By-Laws of the Department of Florida Veterans of Foreign Wars DeBary VFW Post No. 8093, DeBary, Florida.

Section 202 of the Congressional Charter and By-Laws and Manual of Procedure has been implemented.

I would appreciate your examination of the proposed amendments to the By-Laws and return to this office at your earliest convenience, with your recommendations.

Respectfully,

A handwritten signature in black ink, appearing to read "Eugene L. Perrino Sr.", written over a horizontal line.

Eugene L. Perrino Sr.
State Adjutant/Quartermaster

ELP:rt

Enclosure: (5)

Cc: Gorman "Larry" Bonds, Commander VFW Post 8093

NATIONAL BY-LAWS/MANUAL OF PROCEDURE CONFLICT

POST 8093 FLORIDA

Article IV Section 4

Remove "active"

Reason: To conform to Section 203 of the National By-Laws. Any member may attend a Post meeting, regardless of how active they participate in meetings and events at the Post.

Article IV Section 5

Replace "thirty (30)" with "fourteen (14)"

Reason: To conform to Section 205 of the Manual of Procedure.

Article IV Section 6

Replace first sentence with "The dispensation and/or consumption of alcoholic beverages or use of smoking/vaping products in VFW meeting rooms during VFW meetings are prohibited."

Replace "24" with "25"

Reason: To conform to Section 1001 no. 25 of the Manual of Procedure. Incorrect section reference. Section 1001 rule no. 25 provides for the prohibition of alcohol/smoking during a meeting.

Article VII Section 3 (c)

Remove "Removal shall be by a majority of vote of members present."

Add "in accordance with Section 220 of the Manual of Procedure."

Reason: To conform to Section 220 of the Manual of Procedure and preclude any misunderstanding on the process. Removing an elected committee member requires a two-thirds vote.

Article VII Section 3 (g)

Remove "with the exception of a disciplinary action under Article IX of the National By-Laws"

Reason: To conform to Section 903 of the National By-Laws as there are no provisions for a House Committee to initiate a disciplinary action.

Article VII Section 5 (a)

Remove "and the Adjutant"

Reason: The Adjutant is an officer of the Post, repetitive language.

Article VII Section 6 (a)

Remove "Two co-chairman may be a member of the Auxiliary in good standing."

Reason: Only VFW members may serve on a VFW Post committee. To conform to Section 215 of the National By-Laws.

Article VIII Section 4

Replace "Auxiliary to the Veterans of Foreign Wars" with "Veterans of Foreign Wars Auxiliary"

Remove "and XIII"

Reason: To conform to the appropriate name of the Veterans of Foreign Wars Auxiliary in accordance with Article XI of the National By-Laws. Article XIII governs the Men's Auxiliary units, which no longer exist. The delegates attending the 117th National Convention in Charlotte, North Carolina, voted to disband the Men's Auxiliary units, effective December 31, 2016.

Article IX Section 3

Remove "The Post Commander may authorize discretionary expenditures not to exceed \$500.00 except in extreme emergency."

Reason: The expenditure of funds must be specific and limiting and previously authorized by the Post membership in accordance with Sections 218 (a) 1 (f) and 218 (a) 5 (c) of the Manual of Procedure. There are no provisions for why the Commander would disburse funds and additionally, the House Committee is already permitted to authorize an expenditure of funds for minor emergency repairs and supplies for the Post as outlined in Article VII Section 3 (h) of these By-Laws.

Article X Section 1

Add "except as determined and specified by the Post"

Reason: To provide the Post the opportunity to compensate an officer, as properly authorized by the Post.

Article X Section 2

Move to expenditure of funds Article

Replace "expend" with "authorize an expenditure"

Reason: This language pertains to expending funds from the relief fund. The Post Commander may authorize an expenditure of funds, however the actual disbursement is made by the Quartermaster.

Article XVI Section 2

Add "from the Post clubroom/canteen"

Reason: To preclude any misunderstanding. This section pertains to a disciplinary action from the Post clubroom/canteen.

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ARTICLE I
NAME AND LOCATION

- Section 1 By virtue of charter granted this Post shall be known as DeBary Post No, 8093 Veteran of Foreign Wars of the United States.
- Section 2 The location of this Post shall be in the City of DeBary, County of Volusia, and State of Florida.

ARTICLE II
SUBORDINATION

- Section 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 Department of Florida, 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 Florida. For the purposes of the Article and Section, resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE III
ELECTION OF OFFICERS

- Section 1 Election of Post Officers will be held in strict accordance with Sections 215, 216, 217, and 220 of the National By-Laws and Manual of Procedure.

ARTICLE IV
MEETINGS

- Section 1 Place: The regular meeting place of the Post shall be at the Post Home; V.F.W. Post 8093, 351 S. Charles Richard Beall Blvd, DeBary, Florida 32713.
- Section 2 Post to declare a meeting time, once established, the Post may change its meeting time in accordance with Section 5. Post meetings are on the third Thursday of each month at 7:00 p.m.
- Section 3 Special meetings may be called in accordance with the provisions of the National By-Laws and Manual of Procedure.
- Section 4 Five members in good standing shall constitute a quorum for transaction of business.
- Section 5 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.

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Section 6 *The dispensation and/or consumption of alcoholic beverages or use of smoking/vaping products in VFW meeting rooms during VFW meetings are prohibited. Reference Article X, Section 1001, of the National Manual of Procedure, Rules of Order governing all meetings, Rule 25.*

ARTICLE V
MEMBERSHIP

- Section 1 Membership in this Post, eligibility to, application for, acquiring and maintenance of, loss of and discipline shall be in accordance with the National By-Laws.
- Section 2 The admission fee of this Post shall be \$1.00, payable in accordance with the provisions of the National By-Laws.
- Section 3 The dues of the Post shall be determined by the members of the Post at a regularly convened meeting and all members in good standing will be notified thirty (30) days in advance of any change.
- Section 4 The dues shall never be less than the amount required to cover Department and National dues.

ARTICLE VI
OFFICERS

- Section 1 The officers of this Post, eligibility to, nomination, election or appointment, installation and term of office shall be in accordance with the provisions of the National By-Laws.
- Section 2 The duties of the officers shall be those prescribed by National and Department By-Laws, lawful orders as the Post may direct and as these By-Laws in this Article may hereafter provide.
- Section 3 The Quartermaster shall authorize additional signatures; the Post shall bond those persons in accordance with 703 of the National By-Laws/Manual of Procedure.

ARTICLE VII
COMMITTEES AND DUTIES

- Section 1 All committees and their chairmen, unless otherwise provided, shall as promptly as possible after installation in office, be appointed by the Commander and as such serve at his/her will and pleasure. The Post Quartermaster, by virtue of office shall be treasurer of all committees handling funds.
- Section 2 The Standing Committees of the Post shall be as follows:

(a) Membership	(g) Building Committee
(b) Relief	(h) Budget & Finance
(c) Poppy	(i) Bingo

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(d) Youth Activities	(j) Programs
(e) House	(k) Safety
(f) Executive	

Section 3 House Committee

- (a) This Post shall elect a House Committee, comprised of no less than three (3) members and no more the seven (7) members, to manage the business affairs of the Canteen and oversees the operations of the Entertainment Committee, the Building and any such other committees as the Post shall see fit to assign. The election of the House Committee will be annually for a three-year term (with the exception of the first year of 2018 where one member will be elected for three (3) years, one member for two (2) years and one member for one (1) year terms and shall be at the same time as the annual Post elections.
- (b) At the first convened meeting of the House Committee, Committee members will elect a Chairman who may appoint two additional members to the House Committee. One member of the committee shall act as a secretary, keeping minutes of the meeting and preparing a report to be read at the next regular Post meeting.
- (c) Removal of elected committee members shall only be for cause, such as, more than two unexcused absences, conduct unbecoming to a VFW officer's position, et cetera, *in accordance with Section 220 of the Manual of Procedure*. Members can make nominations to fill Committee vacancies at any scheduled Post meeting for election at the next scheduled membership meeting.
- (d) In addition to the elected members, the Commander and Quartermaster are ex-officio, voting members of the Committee, but shall not serve as Committee Chair. Other elected Post Officers shall not serve as Committee members. The Post Quartermaster, by virtue of office shall be treasurer of the Committee.
- (e) The House Committee shall meet at a minimum of once a month at such time and place as recommended by the committee. All meetings shall be open to any Post member in good standing with the exception of a disciplinary hearing and guests must be expressly invited by the House Committee Chairman or Post Commander. Special meetings of the House Committee may be called by a majority of the committee provided all members were notified at least three (3) days in advance. This is in lieu of any emergency situation that needs to be handled immediately.
- (f) The committee shall be in charge of the sub-rental of the Post Quarters and shall exercise such supervision over all sub-renters as will insure the protection of the Post's name and property.

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- (g) The Post at any time may overrule any action of the House Committee by regular vote at any Post meeting.
- (h) The committee may authorize such expenditures for minor emergency repairs and janitorial supplies as may be necessary for the preservation and protection of the Post's quarters and its equipment, provided the total amount so expended between two (2) regular meetings shall not exceed \$500.00.
- (i) All monies received by the committee shall be deposited with the Post Quartermaster. Report all expenditures made since the last meeting of the Post to the Quartermaster IAW these by-laws.
- (j) Post Trustees shall not be employed in any position where Post funds are accepted.
- (k) The Committee shall be responsible for enforcing the Canteen rules of Post 8093, the cleanliness and upkeep of the quarters and the equipment therein.

Section 4 Budget & Finance Committee

- (a) The committee shall consist of no less than three (3) and no more than five (5) members in good standing and appointed by the Post Commander. The committee's duties shall be to prepare and amend, as necessary, an annual budget for the period of 1 July to 30 June (fiscal year).

Section 5 Executive Committee

- (a) The Executive Committee shall consist of all the officers and shall be chaired by the Post Commander.
- (b) The Executive Committee shall meet prior to the monthly meeting at a time and date prescribed by the Post Commander.
- (c) The purpose of this committee is to assist and coordinate the activities of the elected officers and plan the agenda for the next Post meeting.
- (d) The Executive Committee will make recommendations to the Post members of all business of the Post not covered by a specific committee.

Section 6 Bingo Committee

- (a) A Bingo Chairperson and two (2) co-chairpersons will be appointed by the Post Commander from members in good standing. One Chairperson must be present during any Bingo function (per Florida State law).
- (b) The Bingo Chairperson will be bonded.

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- (c) The Post Quartermaster and Post Commander (only) shall have access and combination of the Bingo safe for Bingo monies. The combination of the safe will be changed immediately upon any change of any of the above-mentioned personnel.

Section 7 All Other Committees Currently Vacant

ARTICLE VIII
CONTROL OF SUBSIDIARY UNITS

Section 1 Any activity, unit or clubrooms sponsored, conducted or operated by the Post, incorporated separately from the Post or incorporated, shall at all times be under the control of the Post.

Section 2 All funds derived from any of the above shall be in the custody of the Post Quartermaster.

Section 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.

Section 4 The Post authorizes the formation of an Auxiliary. For purposes of this Article, the *Veterans of Foreign Wars Auxiliary* is governed by Article XI 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 IX
EXPENDITURE OF FUNDS

Section 1 Expenditures of funds shall be made only after prior authorization by the Post and on proper voucher drawn by the Adjutant and approved by the Commander. All checks for expenditures of Post funds shall be numbered in sequence, the number of each check to correspond with the voucher authorizing the same and in addition to the signature of the Quartermaster, shall be countersigned by the Post Commander.

Section 2 The Post Commander may *authorize an expenditure* through the Quartermaster up to \$200.00 from the Relief Fund as deemed as an emergency. Such expenditures shall be limited as prescribed in the Manual of Procedure, Section 704 – Relief Fund.

Section 3 The adoption of this Article shall constitute authorization by the Post for the payment of bills, when and as due, for monthly rental, public utility service, postage, janitor service, and for janitor's supplies and minor emergency repairs authorized by the Canteen Committee, provide that the amounts to be paid for monthly rental and for janitor service shall have been previously established by the Post.

Section 4 No other payment or expenditures shall be made except on the specific authorization of the Post in each and every case.

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ARTICLE X
COMPENSATION

Section 1 No compensation shall be paid to any officer of this Post for their services *except as determined and specified by the Post.*

ARTICLE XI
FUND RAISING PROMOTIONS

Section 1 This Post shall solicit funds or donations only by prior vote of members agreeing to the proposition. It shall not solicit funds or donations or otherwise engage in fund-raising activities or projects outside the immediate geographical area or community of the Post.

Section 2 Fund-raising organizations or individuals conducting solicitations, activities or projects for a profit shall not be engaged or used by the Post for such purposes 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.

ARTICLE XII
SOLICITATIONS, ET CETERA

Section 1 Unless previously authorized by a majority vote of the Post, no solicitations, canvass or ticket sales shall be permitted in the Post quarters or social meeting nights unless such solicitations, canvass or ticket sales shall have been approved by the Post.

Section 2 The Ways and Means Committee shall confine its consideration of solicitations, canvass, or ticket sales to the stated and social meetings of the Post in or around the Post in or around the Post quarters.

ARTICLE XIII
MISCELLANEOUS

Section 1 Every member of this Post shall keep the Post Adjutant and Quartermaster advised of their current address by promptly reporting any change of the same.

Section 2 In any Post procedure not provided for by the Congressional Charter and By-Laws or these By-Laws, Robert's Rules of Order shall be the Authority, and it shall be the duty of the Post 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.

Section 3 All courtesies and canteen privileges will be extended to all members of the Auxiliary of Post No. 8093, providing that they possess a current membership card to the same and the same disciplinary action that applies to the Post members will also be accorded members of the Post Auxiliary at any time that such action is duly warranted. This ruling

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is in keeping with the State of Florida VFW Canteen Rules. There will be NO exceptions made to the subject matter of this section. Notwithstanding anything herein, actions of the House Committee taken hereunder shall be subject to an appeal to the Post membership.

Section 4 A copy of these By-Laws shall be available to every member and posted in the Post.

ARTICLE XIV
ADMENDMENTS

Section 1 These By-Laws shall become effective after adoption by this Post and when, and if reviewed by the Commander-in-Chief of the Veterans of Foreign Wars of the United States.

Section 2 Wherever these By-Laws or subsequent amendments may be found to be in conflict with the present or future Department or National By-Laws, the latter shall prevail and be binding upon this Post as though written.

Section 3 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. The Post shall forward all amendments through channels and the Department Commander and the Commander-in-Chief shall review them before they become effective.

ARTICLE XV
SPEECHES

Section 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 then three (3) minutes, with the exception of a committee report and recommendation, and visiting guest who has a message to impart.

ARTICLE XVI
DISCIPLINARY

Section 1 Members shall be subject to disciplinary action in accordance with Article IX of the National By-Laws and Manual of Procedure for any and all the offenses as listed in the National By-Laws and Manual of Procedure.

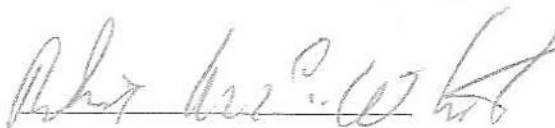
Section 2 Members and guests shall be subject to disciplinary action *from the Post clubroom/canteen* for violation of any rules set down by Post 8093 in the Post By-Laws and the Canteen/House Rules adopted by the Post.

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These By-Laws were adopted, subject to the approval of the Commander-in-Chief and the Commander of the Department of Florida, Veterans of Foreign Wars of the United States on this 21st day of June, 2018, at the regular meeting of this Post in the City of DeBary and County of Volusia, State of Florida.

Official

By:



Adjutant

By:



Commander



REVIEWED SEP 18 2018
FOR THE COMMANDER-IN-CHIEF

KIM A. DE SHAND
ASSISTANT ADJUTANT GENERAL
BY DAVID E. PROHASKA, DIRECTOR
ADMINISTRATIVE OPERATIONS