



June 15, 2016

Cheryl Shannon, Commander
Department of Wyoming, VFW
3036 Cabin Creek Place
Casper, WY 82604

Re: Proposed Amended By-Laws

Dear Comrade Shannon:

Receipt is acknowledged of the proposed revised By-Laws for the Department of Wyoming, submitted for review of the Commander-in-Chief in accordance with Section 502 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 are in 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.

A copy of the reviewed amended By-Laws has been retained for our files and two sets herewith returned.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Prohaska".

David E. Prohaska, Director
Administrative Operations

DEP: cjlj
Enc: Revised By-Laws (2)
cc: Department Adjutant (1)

NO ONE DOES MORE FOR VETERANS.



VFW

VETERANS OF FOREIGN WARS of the UNITED STATES ~ DEPARTMENT OF WYOMING HEADQUARTERS
3036 CABIN CREEK PLACE ~ CASPER, WY 82604-3672 ~ phone 307-333-5975 ~ fax 307-333-1347
Email vfvhq2@charter.net website: www.wyomingvfw.com

June 14, 2016

Commander-in-Chief John Biedrzycki, Jr.
Veterans of Foreign Wars of the United states

Please review Department of Wyoming By-laws approved during the June 10 & 11, 2016
State Convention.

Article XV ~ Men's Auxiliary ~ Section 1 ~ in its entirety. (All reference to a Men's Auxiliary
have been deleted from our By-laws)

Thank you for your attention

*Proposed by Commander
Cheryl K. Shannon*

For the Commander

Robert J. DeBernardo

A/Q Dept. of Wyoming
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"No one does more for Veterans"

NATIONAL BY-LAWS/MANUAL OF PROCEDURE CONFLICT

DEPARTMENT OF WYOMING

Article II

Replace all but first statement with “1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post within the Department.

2. The National Council Member, the Department Commander, all Past Department Commanders who are members in good standing in a Post within the Department; all elective officers of the Department, Chief of Staff, Inspector, and the Adjutant.

3. All District Commanders throughout the Department. In the absence of the District Commander, the District Senior Vice Commander, or, in *the Senior Vice Commander's* absence, the District Junior Vice Commander may be registered and function as a member of the Convention.

4. 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.

5. Delegates to be elected by the Posts.”

Reason: To conform to Section 504 of the National By-Laws.

Article XVI

Renumber “XV”

Reason: Article XV was removed.

**VETERANS OF FOREIGN WARS
OF THE UNITED STATES
DEPARTMENT OF WYOMING
BY - LAWS**

TRUE COPY

- (Adopted 11:45 am, July 14, 1934 at Cheyenne WY Encampment)
(Amended by order of Department at Greybull WY, June 5, 1955)
(Amended by order of Department at Cody June 7, 1959)
(Amended by order of Department at Casper WY June 12, 1960)
(Amended by order of Department at Laramie WY June 12, 1977)
(Amended by order of Department at Sheridan WY June 11, 1978)
(Amended by order of Department at Casper WY June 12, 1982)
(Amended by order of Department at Cheyenne WY June 8, 1985)
(Amended by order of Department at Riverton WY June 15, 1986)
(Amended by order of Department at Laramie WY June 11, 1988)
(Amended by order of Department at Casper WY June 13, 1992)
(Amended by order of Department at Laramie WY June 11, 1994)
(Amended by order of Department at Thermopolis WY June 9, 2000)
(Amended by order of Department at Riverton WY June 9, 2001)
(Amended by order of Department at Casper, WY June 8, 2002)
(Amended by order of Department at Casper, WY June 11, 2004)
(Amended by order of Department at Riverton, WY June 10, 2005)
(Amended by order of Department at Gillette, WY June 9, 2006)
(Amended by order of Department at Casper, WY June 12, 2010)
(Amended by order of Department at Afton, WY June 11, 2011)
(Amended by order of Department at Casper, WY June 8, 2013)
(Amended by order of Department at Cheyenne, WY June 15, 2014)
(Amended by order of Department at Casper, WY June 11, 2016)

BE IT ENACTED

By the Department of Wyoming, Veterans of Foreign Wars of the United States, in stated convention assembled and by authority of the same, that the following code of By-Laws be adopted for the

government of the Department and its subordinate Posts under authority of Section 505, Article V of the National By-Laws of the Veterans of Foreign Wars of the United States.

ARTICLE I

Section 1 Name: The name of this organization shall be the Department of Wyoming, Veterans of Foreign Wars of the United States.

Section 2 Composition: It shall be composed of all Posts of the Veterans of Foreign Wars of the United States located within the State of Wyoming in good standing.

ARTICLE II GOVERNING BODY

Section 1 The Department of Wyoming shall be governed by a Department Convention, subordinate to the National Convention.

Section 2 The Department Convention shall consist of:

1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post within the Department.

2. The National Council Member, the Department Commander, all Past Department Commanders who are members in good standing in a Post within the Department; all elective officers of the Department, Chief of Staff, Inspector, and the Adjutant.

3. All District Commanders throughout the Department. In the absence of the District Commander, the District Senior Vice Commander, or, in the Senior Vice Commander's absence, the District Junior Vice Commander may be registered and function as a member of the Convention.

4. 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.

5. Delegates to be elected by the Posts.

ARTICLE III MEETINGS

Section 1 There shall be an annual meeting of the Department Convention on the second FULL weekend of JUNE each year, and a Mid-Winter Conference on the second weekend of JANUARY each year. Under unusual or extenuating circumstances, the Council of Administration may, by majority vote, grant a change of date by no more than one (1) week. (Amended June 9, 2006)

ARTICLE IV ELIGIBILITY OF OFFICE

Section 1 All active members of the Veterans of Foreign Wars of the United States who are in good standing in their respective Post within the State of Wyoming are eligible to hold any office in the Department.

ARTICLE V ELECTIVE AND APPOINTED OFFICERS

Section 1 The elective officers of this Department shall be, Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain. (Modified for compliance June 14, 2013 by National)

- Section 2 The Commander shall immediately after entering office appoint an Adjutant, Inspector, and Chief of Staff, and all other State Officers and Committees not otherwise provided for and he may remove these same officers at his pleasure. (Amended June 9, 2006)
- Section 3 No person within the Department shall issue orders or instructions in direct conflict with those issued by the State Commander.
- Section 4 There shall be appointed a three (3) member Audit and Financial Advisory Committee. No member of this committee shall also be serving on the Council of Administration. This Committee will be appointed in the following manner: For the 2000-2001 year, the State Commander shall appoint one (1) member to serve for a one (1) year term who will serve as Chairman. The State Senior Vice Commander shall appoint one (1) member for a two (2) year term and the State Junior Vice Commander shall appoint one (1) member for a three (3) year term. These appointments must have the approval of the Department Council of Administration during the Council meeting immediately following the Department Convention. Each year thereafter, the State Junior Vice Commander shall appoint one (1) member for a three (3) year term who must be approved by the Department Council of Administration at the Council meeting immediately following the Department Convention. The individual in the final year of said appointment will serve as Chairman. There must be at least two (2) Committee members present for an audit. It shall be the duty of this Committee to conduct a detailed audit of the State Quartermasters records to include all financial business conducted by the Department at least bi-annually prior to the Mid-Winter Conference and the Department Convention and more often if deemed necessary. This Committee shall also be responsible for reviewing the Department investment portfolio and make appropriate recommendations to the Council regarding the financial investments of the Department. The Chairman shall report the finding of the audit to the Council of Administration and, if requested, to the general membership. Members of this Committee shall be paid mileage for said audits at the same rate as members of the Council of Administration. (Amended June 9, 2006)
- Section 5 No elected or appointed Department officer, or other member of the Department, who is scheduled to receive travel expense funding from the Department to attend any National or Conference function, shall be eligible to receive funding from the Department if that officer or member is also receiving travel expense funding from National or Conference to attend the same function. If the Department funding is a larger amount than the National or Conference funding, the Department shall pay only the difference. Any Department officer who receives Department funding to attend any function, and who does not attend the function, shall immediately reimburse the Department the full amount of the funding. (Amended June 9, 2006)

ARTICLE VI
COUNCIL OF ADMINISTRATION

- Section 1 The council of Administration shall consist of: Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain, Adjutant, Inspector, Chief of Staff and the District Commanders. The retiring State Commander shall be a voting member of the Council for one (1) year following his term as State Commander. The Sergeant(s) at Arms shall be non-voting members of the Council. (Amended Jun 9, 2000)
- Section 2 The Council of Administration shall have charge of the working interest of the Department, shall have the power to fix all salaries, audit the accounts of the various officers, shall keep a full and detailed record of its proceedings and shall present the same to the Department Convention at each stated meeting there-of. Each member of the Council present at its meetings shall have one vote and a majority shall constitute a quorum for the transaction of business.
- Section 3 The funds of the Department now invested, or any funds that shall be invested in the future shall not be liquidated, except by a vote of two-thirds (2/3) of the Council of Administration sitting in a regular session, or at a special meeting called for that purpose by the State Commander, and then only on a recorded roll call vote. (Added June 8, 2000)

Section 4 The Council of Administration shall establish a restricted fund using funds received from the disposition of property resulting from the surrender or forfeiture of a post charter and using other invested Department funds designated by the Council to be included in this special fund. The specific purpose of this special fund is to provide scholarships for the Voice of Democracy and Patriot's Pen program. These funds shall be invested in an interest bearing account and only the interest there from shall be available for the use in providing said scholarships, except that the Council may otherwise authorize expenditures from the principal fund. Scholarships amounts shall be determined by the Department Council of Administration annually and shall be paid to the first, second, and third place Department winners. (Amended June 14, 2014)

ARTICLE VII
COMPOSITION OF DISTRICTS

Section 1 The State of Wyoming shall be divided into Districts as follows:
(Amended June 8, 2013)

District 1 - All Posts in Big Horn, Park, Hot Springs, Washakie Counties and Fremont Counties

District 2 - All Posts in Campbell, Crook, Johnson, Sheridan and Weston Counties

District 3 - All Posts in Converse, Natrona, Niobrara, Albany and Carbon Counties

District 4 - All Posts in Lincoln, Sublette, Teton, Uinta and Sweetwater Counties
(Amended June 8, 2002)

District 5 - All Posts in Goshen, Laramie and Platte Counties

Section 2 Each District shall be commanded by a District Commander elected annually by delegates present and representing Posts in the District at the annual spring District meeting.

Section 3 Immediately after being elected the District Commander of each shall appoint a District Adjutant and a District Chief of Staff and all other officers according to the By-Laws.

Section 4 All District Commanders will be installed with the State Commander at the annual Department Convention. (Amended June 12, 1977)

ARTICLE VIII
DEPARTMENT FEES AND DUES

Section 1 The Department per capita tax for annual members shall be \$11.50 per member transmitted along with the National per capita tax, directly to National, effective July 1, 2005.
(Amended June 10, 2005)

Section 2 Section 213-Manual of Procedures-Arrearage: Any Post in arrears for membership reports, National, Department or District dues, poppy money, supply money or other financial obligations or failing to have the office of Quartermaster bonded or failing to submit quarterly Post Trustees Report of Audit shall be deprived of all representation in District, Department and National Conventions. All rights shall be restored promptly upon proper adjustment of such deficiencies.

ARTICLE IX
CONVENTION OBLIGATIONS OF THE DEPARTMENT

Section 1 No special funds shall be set aside for use of any Convention Committee or Post. Nothing in this article shall be constituted as to prohibit the convention making an appropriation to defray the expense of the Convention, but does prohibit the Council of Administration from doing so. (Amended June 12, 1977)

ARTICLE X
ELECTION OF OFFICERS AND TERM OF OFFICE

- Section 1 The nomination of State Officers shall take place before the close of the opening business session. Nomination and election of officers shall take place during the second business session and after election has started it will be completed before any recess (except for caucus) or before the close of the session. (Amended June 14, 1974)
- Section 2 All elective officers of the Department shall be installed and assume their duties immediately after the close of the Convention of which they were elected.
- Section 3 The term of all appointed officers shall expire with the term of the appointing officer.
- Section 4 Department Custodian: The State Quartermaster shall be named Custodian of Department records and reports of retiring State Officers and Posts shall forward to his office for storage and preservation.
- Section 5 The signature of the current State Quartermaster shall be the only required signature on Department of Wyoming VFW checks. (Amended June 8, 1985)
- Section 6 The voting at the Department Convention shall be as follows; all elected Department officers, past State Commanders, and Post Commanders shall have one (1) vote. They may pass this vote and vote their respective Post delegate strength if they so desire. The voting strength of each Post shall be one (1) delegate vote for each thirty (30) members or fraction thereof based on the most current National membership report available, providing the report is dated on or before the beginning of the Department Convention. (Amended June 10, 2005)
- Section 7 A candidate for Junior Vice Commander-in-Chief from the Western Conference shall be selected at the Department Convention by roll call vote. The State Commander, or in his absence, the Senior Vice Commander or Junior Vice Commander, if present, shall be mandated to cast the Department vote on the first ballot at the Western Conference Meeting for the candidate selected at the Department Convention. Should that candidate be dropped after the first ballot, the senior officer present shall poll the choice of the delegates present and vote accordingly. (Added Jun 9, 2000)

ARTICLE XI

- Section 1 These By-Laws may be amended or revised at any regular Convention of the Department of Wyoming. (Amended June 11, 1994)
- Section 2 Contemplated changes in the Department By-Laws must be provided to all Post Commanders in the Department of Wyoming a minimum of thirty (30) days prior to the start of the State Convention and voted on at that convention. (Amended Jun 12, 1977)

ARTICLE XII
CONFLICTION WITH NATIONAL BY-LAWS

- Section 1 Articles or Sections of these By-Laws that may conflict with the National Congressional Charter and By-Laws are hereby declared void. In case of a conflict the National By-Laws will govern. (Amended June 12, 1977)

ARTICLE XIII
COMPULSORY REGISTRATION TO VFW PRIOR TO M.O.C.

- Section 1 All members attending the Convention must register for the Parent Organization, VFW prior to registration to the Military Order of the Cooties, which is an auxiliary to the Veterans of Foreign Wars. (Amended June 17, 1959)

ARTICLE XIV
OFFICIAL HEADGEAR

Section 1 A cap of the overseas type, lettered with VFW initials, Post numerals, state, rank of office (when applicable), and bearing the Cross of Malta emblem, is the VFW regulation cap. Only regulation caps shall be worn at official Department meetings. (Amender June 9, 2006)

ARTICLE XV
VETERANS SERVICE COMMITTEE

The Department Veterans Service Committee, hereafter referred to as “the Committee”, shall consist of the Department Commander, Department Adjutant/Quartermaster, and the three (3) surviving immediate Past Department Commanders (PDC’s). The Chairman of the Committee shall be the retiring Department Commander (junior PDC) who shall assume said position immediately upon leaving office. The Committee shall meet at least once per year and a minimum of three (3) members is required for a quorum. A report on the results of the meeting(s) shall be given during the next regular or special meeting of the Council of Administration, hereafter referred to as “the Council”.

Under the direction of the Council, and subject to the provisions of the National By-Laws and the directives of the Director of National Veterans Service, the Committee shall monitor the policies under which the employees of the Department Service Office work as well as the performance of their duties. The Committee shall be responsible for periodically reviewing the Department Personnel Rules and recommend appropriate changes to the Council. The Committee will make recommendations to the Council regarding salary adjustments/raises for the employees of the Department Service Office. Hiring, dismissal, and discipline of the service office employees shall be the responsibility of the Council. When necessary, the Committee shall be responsible for making recommendations to the Council regarding the hiring, dismissal, and discipline of the Department Service Office employees. The Committee shall investigate any action(s) that may be brought against the Department Service Office or its employees, and be responsible for recommending action as deemed appropriate to the Council.

The routine day-to-day administrative supervision of the employees of the Department Service Office shall be the responsibility of the Department Adjutant/Quartermaster under the guidance of the Committee. (Added June 11, 2004)

Approved: At the 83th Wyoming Department Convention held in Casper, Wyoming, June 10 – 11, 2016.

Attest

Robert J. DeBernardo
State Adjutant

Approved

Cheryl K. Shannon
State Commander

