

By-Law/Manual of Procedure Conflicts
VFW District 1, Department of South Carolina

Article VII Section 1

Remove in its entirety; Post Delegates are defined in Article II, not all delegates are elected at the Post.

Article X Section 3 Change

"office" to "term"

Article XII Section 1

Change "416" to "418"

DISTRICT 1
Department of South Carolina
Veterans of Foreign Wars of the U. S.

DISTRICT 1
BY-LAWS

ARTICLE I.. SUBORDINATION

Sec. 1. 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 ByLaws of the Veterans of Foreign Wars of the United States, the By-Laws of the Department of South Carolina, orders issued by authority of the National Convention, National Council of Administration, and the State Commander of the Department of South Carolina. For the purposes of this Article and Section, Resolutions adopted by the National Convention are held to be lawful orders.

ARTICLE II -- COMPOSITION

Sec. 1. The District Convention and District meetings shall consist of:

1. The Commander-in-Chief and Past Commanders-in-Chief who are members in good standing in a Post in the District.
2. The National Council of Administration member who is in good standing in a Post in the District.
3. The State Commander and Past State Commanders who are members in good standing in a Post in the District.
4. 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.
5. All Post Commanders throughout 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.

6. Delegates to be elected by the Posts.

7. All references to he, him, his, or man within these By-Laws mean ... male or female.

ARTICLE In -- CONVENTIONS

Sec. 1. This District shall hold an annual District Convention for the purpose of electing District Officers and for the transaction of business, such Convention to be held not less than ten (10) days or more than *seventyfive* (75) days prior to the convening of the Department Convention.

ARTICLE IV -- REGULAR AND SPECIAL MEETINGS

Sec. 1. In addition to the annual District Convention, this District shall hold at least three (3) regular meetings each year, one of which shall be for the purpose of promoting schools of instruction for the Post officers and for discussion of problems affecting the welfare of members of the Veterans of Foreign Wars and other matters as may be appropriate to the purposes of the Veterans of Foreign Wars of the United States.

Sec. 2. *Special meetings must be called for a date not more than fourteen (14) days after: (a) the District Commander receives the signed, written request; or (b) the majority vote of the members present at a regular meeting; or (c) the date upon which the District Commander determines that a special meeting is necessary.* The District Adjutant shall give notice, in writing, to Post Commanders of Posts within the District and District Officers of the time and place of any special meeting and of the business to be transacted, such notice to be given in such manner as to reasonably reach each Post Commander and District Officer at least forty-eight (48) hours in advance of the time set for the meeting. No business shall be transacted at any special meeting except that for which the meeting was called.

Sec. 3. In accordance with the Manual of Procedure, Section 218, *(a)(l) k*, the Post Commander shall assure that he or his representative attend all properly called *District Conventions or meetings*.

ARTICLE V -- QUORUM

Sec. 1. The minimum number of delegates required to constitute a quorum for the transaction of business at a District Convention or at a regular or special meeting shall not be less than one (1) delegate from *one-half* (1/2) of the Posts in the District. For the purpose of this Section, a Post Commander shall be considered a delegate.

ARTICLE VI -- DUES

Sec. 1. All Posts in the District shall remit annual dues to the District Quartermaster no later than District Election. All Posts are assessed annual dues in the amount of fifteen cents (.15) per member based on membership reported as of 1 July of the preceding year. The delegates of any Post failing to remit such dues by the deadline date shall be deprived of all representation at all District meetings and District, Department, and National Conventions. Such representations shall be restored promptly upon proper adjustment of such deficiency.

Sec. 2. Delegates assembled at the District Convention may assess annual dues not to exceed fifty cents (.50) per member based on membership reported as of 1 July (preceding year).

ARTICLE VII -- DELEGATES

ARTICLE VIII -- FUND RAISING PROMOTIONS/SOLICITATIONS

Sec. 1. This District may solicit funds or contributions or otherwise engage in fundraising activities and projects by prior vote of the District agreeing to such solicitations, activities, and projects and in accordance with Section 412 of the National By-Laws.

ARTICLE IX -- ELIGIBILITY TO OFFICE

Sec. 1. Any member in good standing in a Post in this 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.

Sec. 2. District officers, elected or appointed, shall be eligible to hold office in a higher or lower body, and such offices may be held concurrently.

ARTICLE X -- DISTRICT OFFICERS

Sec. 1. The elective officers of this District shall be the Commander, Senior Vice Commander, Junior Vice Commander, Quartermaster, Judge Advocate, Surgeon, Chaplain, and three (3) Trustees.

Sec. 2. The three (3) Trustees have been elected, one each, for a three (3) year term, a two (2) year term, and a one (1) year term. During subsequent years only a three (3) year Trustee need be elected. The previous three (3) year Trustee, upon installation of the District Commander, shall at once and without further formality become the incoming two (2) year Trustee and the previous two (2) year Trustee, upon installation of the District Commander shall at once and without further formality become the incoming one (1) year Trustee. The previous one (1) year Trustee rotates out of office.

Sec. 3. Should a Trustee vacancy occur during the administration year a new Trustee shall be elected to fill the vacated term.

Sec. 4. The Commander shall appoint the Adjutant, *Chief of Staff, Inspector(s)*, Officer of the Day, Service Officer, and other officers as he deems appropriate to properly conduct the affairs of the District. (Rev. 19Apr09)

Sec. 5. District officers, elected and appointed, shall submit proof of eligibility to the District Adjutant and shall not be installed or assume the duties of their office until such proof of eligibility has been submitted and properly reviewed. Such proof of eligibility shall be open to and reviewed by the District Commander, Adjutant, and Quartermaster prior to installation to office.

Sec. 6. In the event an elected or appointed officer fails to submit proof of eligibility within sixty (60) days of election or appointment, any right of the officer to hold office shall be forfeited and the office declared vacant.

ARTICLE XI -- NOMINATION, ELECTION, INSTALLATION, TERM OF OFFICE

Sec. 1. The District officers shall be nominated, elected, and installed at the District Convention in the manner prescribed in the National By-Laws and Manual of Procedure.

Sec. 2. The installation shall be conducted by a member in good standing who holds or has held an office equal to or higher than District Commander. The District Commander-elect shall select the installing officer.

ARTICLE XII -- OFFICERS - POWER & DUTIES

Sec. 1. The officers of this District, elected and appointed, shall have such powers and duties as prescribed in the Department By-Laws and Section 418 of the National By-Laws and Manual of Procedure.

ARTICLE XIII -- PAST OFFICERS

Sec. 1. A Past Officer is one who has been elected and installed, appointed, or succeeds to a vacancy in a District office and; (1) has served to the end of his term; (2) died before the expiration of his term; (3) ceased to hold office by reason of consolidation of units; or (4) resigned to enter active military service or, while in active military, resigns office due to receipt of permanent change of station orders.

ARTICLE XIV -- VACANCIES AND REMOVAL OF ELECTIVE OFFICERS

Sec. 1. The District shall remove elective officers and fill vacancies in accordance with Section 418 of the National By-Laws and Manual of Procedure.

ARTICLE XV -- VOTING.

- Sec. 1. Each member of the District Convention or District meeting as defined in Article II of these By-Laws, except delegates elected by the Posts, present at a District Convention or meeting shall be entitled to one (1) vote, and an individual possessing more than one (1) qualification for membership in the District Convention or meeting shall have no more than one (1) vote. The delegate or delegates of a Post present at a District Convention or meeting shall be entitled to vote the full delegate strength to which the Post is entitled.
- Sec. 2. Should there be a division among the delegates representing the Post, each delegate present shall have his/her pro-rata share of the total voting strength of the Post. For the purpose of this section, a Post Commander shall be considered a delegate.

ARTICLE XVI -- BY-LAWS

- Sec. 1. These By-Laws shall become effective after adoption by the District Convention and reviewed and approved by the State Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States.
- Sec. 2. These By-Laws may only be amended or altered by the District Convention by a *vote by not less than one (1) delegate from fifty (50) percent of the Posts in the District* present at a meeting thereof; provided that such amendments have been properly approved by a recommending Post or have been recommended by a District officer, have been forwarded through proper channels and written notice thereof, together with a copy of the proposed amendment being given to the District Commander and Adjutant for proper notice to all concerned at least four (4) weeks prior to the convening of the District Convention. All amendments shall be forwarded through channels and reviewed by the State 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 Department or National By-Laws, the latter shall prevail and be binding in this District as though written herein.


ARTICLE XVII - DRAPING POST CHARTER


Sec. 1. All Post charters in District No. 1 Department of South Carolina should be draped for 30 days in memory of a District 1 Commander who dies while in office and upon the death of a Past District 1 Commander. Following notification of the District Commander's death or Past District Commander's death, the ritual Charter Draping Ceremony will be conducted at the next Post meeting.

Sec. 2. The CEREMONY FOR DRAPING CHARTER can be found in the VFW Ritual section of the CONGRESSIONAL CHARTER AND BY-LAWS AND MANUAL OF PROCEDURE AND RITUAL

These By-Laws were adopted as amended, subject to the review and approval of the State Commander and the Commander-in-Chief of the Veterans of Foreign Wars of the United States on this 13th day of May 2009, at the District Convention in the Town of Summerville and County of Berkeley, State of South Carolina.

District No. 1
Veterans of Foreign Wars of the United States

By 
William D. Campbell
District Commander

OFFICIAL:
By 
Joseph Connor
Adjutant

Veterans of Foreign Wars

MAY 18 2009

Administrative Operations

REVIEWED- Aile 04
FOR THE COMMAND -IN-CHIEF

JOHN J. McNEILL, JR.
ASSISTANT AGJUTANT GENERAL -
BY KEVIN C. JONES, DIRECTOR
ADMINISTRATIVE OPERATIONS