

DEPARTMENT OF FLORIDA
JEWISH WAR VETERANS OF THE
UNITED STATES OF AMERICA

CONSTITUTION AND BY-LAWS

As Amended to March 10, 1957

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CONSTITUTION

PREAMBLE

We, citizens of the United States of America, of the Jewish faith, who served in the Wars of the United States of America, in order that we may be of greater service to our Country and to one another, associate ourselves together for the following purposes:

To maintain true allegiance to the United States of America; to foster and perpetuate true Americanism; to combat whatever tends to impair the efficiency and permanency of our free institutions; to uphold the fair name of the Jew and fight his battles wherever unjustly assailed, to encourage the doctrine of universal liberty, equal rights, and full justice to all men, to combat the powers of bigotry and darkness wherever originating and whatever their target; to preserve the spirit of comradeship by mutual helpfulness to comrades and their families; to cooperate with and support existing educational institutions and establish educational institutions and foster the education of ex-servicemen and ex-servicewomen, and our members in the ideals and principles of Americanism; to instill love of country and flag and to promote sound minds and bodies in our members and our youth; to preserve the memories and records of patriotic service performed by the men and women of our faith; to honor their memory and shield from neglect the graves of our heroic dead.

Article I.

Name

This Organization shall be known as "Jewish War Veterans of the United States of America, Department of Florida".

Article II.

Authority

Section 1. The Jewish War Veterans of the United States of America, Department of Florida, is hereby established under the authority of ARTICLE V. of the National By-Laws of the Jewish War Veterans of the United States of America.

Section 2. The Jewish War Veterans of the United States of America, Department of Florida, shall be the governing body of all Posts within its jurisdiction.

Article III.

This Organization is civilian and shall not be used for the promotion of political candidates, partisan politics or issues and interests not authorized by the National Organization or the Department of Florida, and the use of its name, uniform, insignia and titles of rank, past or present, directly or indirectly, for such purposes is expressly forbidden.

Article IV.

Purpose

This Organization, a voluntary, non-profit veterans association, known as the Jewish War Veterans of the United States of America, Department of Florida, shall have for its purpose the carrying out of the PREAMBLE, CONSTITUTION and BY-LAWS of both the National Organization and the Department of Florida.

Article V.

Organization

Section 1. The several bodies of this Organization, in order of rank, shall be:

1. State Department Convention in annual assembly.
2. Council of Administration.
3. Executive Committee.
4. District or County Councils.
5. Posts.

Section 2. There shall be associated with, but subordinate thereto:

1. Department of Florida, Ladies Auxiliary.
2. Subsidiary units responsible to the Department of Florida.

Article VI.

Membership

Section 1. Membership in this organization shall be limited to active members, associate members and honorary members as defined in the National Constitution and By-Laws.

Section 2. Membership in the Posts of this Department shall be as provided for by the National Constitution and By-Laws.

Section 3. Dues: The revenue of the Department of Florida shall be derived as provided in the National Constitution and By-Laws.

ARTICLE VII

Convention

Section 1. The Department of Florida shall hold an Annual Convention, which shall be held not less than thirty (30) days prior to the convening of the National Convention.

Section 2. Each stated meeting of the Annual Convention of the Department of Florida shall be held at such time and place as shall have been determined at its previous meeting, or if such previous meeting shall have failed to act, then by the Council of Administration of the Department of Florida, and if such Council of Administration shall fail to act, then by the Executive Committee of the Department of Florida.

Section 3. The following only shall have membership in a Department Convention:

1. National Commander and Regional Commander.
2. Members of the National Executive Committee who are members of Posts located within the said Department.
3. The following Department officers voting:
 - Commander
 - Senior Vice Commander
 - 1st Junior Vice Commander
 - 2nd Junior Vice Commander
 - Judge Advocate
 - Trustees
 - Americanism Officer
 - Chaplain
 - Chief of Staff
 - Historian
 - Hospitalization Officer
 - Inspector
 - Officer-of-the-Day
 - Patriotic Instructor
 - Quartermaster
 - Recruiting Officer
 - Service Officer
 - Surgeon
4. All Past Department Commanders of such Department.
5. Delegates elected by each Post.
6. All Past Regional Commanders, all Past National Executive Committeemen, and all past Delegates-at-Large, elected from the Department of Florida.
7. Commander of the Department Honor Guard.
8. Council Commanders shall each have an individual vote at a Department Convention and at Department Quarterly Councils of Administration.
9. Post Commanders shall each have an individual vote at a Department Convention and at Department Quarterly Councils of Administration.

Section 4. The mode of procedure at a Department of Florida Convention shall follow that of the National Convention. Post representation at the Department of Florida Convention shall be the same as that provided for in the National Convention. A Post shall not be entitled to representation at the Department of Florida Convention unless it is in good standing with National Headquarters and the Department of Florida.

Section 5. Each Post representation in the Department of Florida Convention shall be based upon the last per capita tax to National Headquarters filed not later than fifteen (15) days prior to such convention.

Section 6. VOTES: Every member of a Department Convention who is present at such Department Convention, except the delegates of a Post, shall be entitled to one (1) vote, except as provided herein. The majority of a delegation of a Post may vote the full strength of a Post present, but in questions where a record vote is taken, then the votes of those voting in the minority of such post delegation shall be deducted from the strength of such delegation and recorded individually. When the delegation of a Post is equally divided, the strength of such delegation shall be recorded in equal proportion.

Section 7. The Department Commander shall designate the members of the Rules, Resolutions, Credentials, and other necessary committees for the functioning of the Department Convention at least thirty (30) days prior to the beginning of said Convention.

Such designation shall be in writing to the members of these committees.

Section 8. DELEGATES: Each Post shall be entitled to one (1) delegate and one (1) alternate for each ten (10) members, or major fraction thereof. Six (6) or more shall constitute a major fraction thereof based upon the per capita tax paid not less than fifteen (15) days prior to the convening date of the Department Convention.

Each Post may elect from its membership such delegates and alternates at a regular meeting and shall forward delegates and alternates names, certified by the Post Commander and Post Adjutant, to the Department Adjutant not later than fifteen (15) days prior to the commencement of the Department Convention. In the absence of such certification, a member in good standing of any Post registered at the Department Convention shall be considered a delegate from his Post.

A Post with less than ten (10) members in good standing shall be deprived of all representation and shall have no vote at the Convention.

ARTICLE VIII

Department Officers

Section 1. At the Annual Convention, there shall be transacted such business as may properly come before it, and the following Department Officers shall be elected:

Commander
Senior Vice Commander
1st Junior Vice Commander

2nd Junior Vice Commander
Judge Advocate
3-Year Trustee

These Officers shall serve until their successors are elected and duly installed.

Section 2. There shall be a Budget Committee of five (5) members, which shall include the three (3) Department Trustees, the Department Quartermaster, and a Chairman appointed by the Department Commander, who shall be a Past Department Commander.

ARTICLE IX.

Council of Administration

Section 1. Between Department Conventions the Department shall be governed by a Council of Administration or Executive Committee which shall have all the powers of the Department Convention except where limited by the By-Laws of this Constitution and the By-Laws of the National Organization.

Section 2. The Council of Administration shall meet at least once every three (3) months.

Section 3. Membership in the Council of Administration shall consist of:

1. N.E.C. members from the Department of Florida
2. Department of Florida:

Commander
Senior Vice Commander
1st Junior Vice Commander
2nd Junior Vice Commander
Judge Advocate
Trustees
Adjutant
Chaplain
Quartermaster
Service Officer
Editor

3. Three (3) delegates or alternates elected by each Post of the Department.
4. All Past Department Commanders of the Department of Florida.
5. All Past Regional Commanders, all past National Executive Committeemen, and all past Delegates-at-Large elected from the Department of Florida.

Section 4. Each member of the Council of Administration shall have one (1) vote.

ARTICLE X.

Executive Committee

Section 1. The Executive Committee shall consist of:

1. All voting Department Officers referred to in Article IX. Section 3, paragraph 2 of this Constitution.
2. All voting members of the N.E.C. who are members of Posts within the Department of Florida.
3. All Past Department Commanders of the Department of Florida.
4. All Past Regional Commanders, all Past National Executive Committeemen, and all past Delegates-at-Large elected from the Department of Florida.
5. All Past Commanders of Posts within the Department of Florida, or a Representative of said Post duly appointed by said Commander.

Section 2. Each member of the Executive Committee shall have one (1) vote, with the exception of the appointed Department Officers, who shall have voice but no vote.

Section 3. Meetings of the Executive Committee shall be held at the call of the Department Commander, or on a written petition of five (5) members of the Committee addressed to the Department Adjutant, who shall, within three (3) days, then notify the Executive Committee of a meeting to be held within five (5) days thereafter with time and place designated.

Section 4. The duties of the Executive Committee shall be to consider and act on matters affecting the Department between meetings of the Council of Administration.

ARTICLE XI.

Vacancies

Section 1. In the event of a vacancy in the offices of Department Commander, Senior Vice Commander, or 1st Junior Vice Commander, the officer immediately in rank below said vacancy will, in addition to the duties of his duly elected office, temporarily assume all of the duties of the vacated office until the next Council of Administration meeting, at which time an election will be held for all offices vacated prior to or created at said Council of Administration meeting.

Section 2. In the event of a vacancy in the office of the 2nd Junior Vice Commander, the Judge Advocate will, in addition to his duly elected duties, temporarily assume the duties of the office of the 2nd Junior Vice Commander until the next ensuing Council of Administration meeting, at which time an election will be held to fill said vacancy.

Section 3. If said vacancy occurs prior to the final Council of Administration meeting in said term, then in that event no election will be held; however, all officers shall temporarily assume the duties of the vacant office as set forth above in SECTIONS 1 and 2.

Section 4. Any other vacancies occurring in elective Department offices shall be filled by an election held at the next Council of Administration meeting.

Section 5. The election to fill all vacancies shall be the first order of business of the Council of Administration meeting.

ARTICLE XII.

Amendments

This Constitution may be amended or altered in either of the following ways:

Section 1. At an Annual Department Convention by a two-thirds (2/3) vote of the members and delegates present and voting at a stated meeting of such Convention, or

Section 2. By a Constitutional Convention assembled for the purpose of considering the proposed amendments by a two-thirds (2/3) vote of the Constitutional Convention delegates and members assembled. Voting upon such amendments shall be in accordance with the voting requirements and qualifications of the Council of Administration.

Section 3. Notice of such amendments shall be first given in writing to the Posts within the Department at least thirty (30) days before the stated meeting of the Department Convention or Constitutional Convention.

Section 4. Amendments to the Constitution shall be submitted, typewritten and double spaced, and shall be signed by the movant and his second.

Section 5. Such Constitutional amendments shall become immediately effective upon notification to the Department that same has been approved by the National Judge Advocate.

ARTICLE XIII.

Section 1. This Constitution shall govern the organization and functioning of the Department. Any conflicts between this Constitution and By-Laws and the Constitution and By-Laws of the National Organization shall be resolved in favor of the National Organization.

Section 2. Conflicts between the Department Constitution and By-Laws and the Constitution and By-Laws of the several Posts within the Department shall be resolved in favor of this Constitution and By-Laws.

BY - LAWS

ARTICLE I.

Name

The name "Jewish War Veterans of the United States of America, Department of Florida" shall appear upon the official stationery, periodicals, advertisements, bulletins and notices of this Department.

ARTICLE II.

Organization

The State Department Honor Guard of the Department of Florida is a subsidiary unit of said Department.

ARTICLE III.

Membership

Dues: Any increase in the per capita tax of the Department in excess of One (\$1.00) Dollar must be authorized by a regularly convened Department Convention. As of 20 October 2002, Per Capita Tax to the Department of Florida shall be Three Dollars and Fifty (\$3.50) Cents per year effective 2004.

ARTICLE IV.

Convention

Section 1. Three Department officers and representatives from at least four (4) Posts within the Department shall constitute a quorum.

Section 2. The Trustees at each succeeding convention will move up one (1) year on their serving time and at all times the Department of Florida will have a three (3) year, a two (2) year, and a one (1) year Trustee.

Section 3. The Department Convention shall have the power to set a registration fee upon all delegates, alternates and officers who are members thereof; the amount of such fee to be established by the Council of Administration.

Section 4. All resolutions shall be submitted prior to the meeting of the Resolutions Committee, and shall be typewritten, double spaced, and in triplicate.

Section 5. One third (1/3) of the members present at a Resolutions Committee meeting opposing a resolution may submit a minority report.

ARTICLE V.

Department Officers

Section 1. The Officers of the Department of Florida shall be and shall rank in the following order, each title to be preceded by the designation "Department":

1. Commander
2. Senior Vice Commander
3. 1st Junior Vice Commander
4. 2nd Junior Vice Commander
5. Judge Advocate
6. Adjutant
7. Chaplain
8. Quartermaster
9. 3-year Trustee
10. 2-year Trustee
11. 1-year Trustee
12. Service Officer
13. Surgeon
14. Chief of Staff
15. Editor
16. Patriotic Instructor
17. Inspector
18. Historian
19. Liaison Officer
20. Trumpeter
21. Sergeant-at-Arms
22. Commander of Department Honor Guard
23. Color Bearers
24. Color Guards
25. Hospitalization Officer
26. Legislative Officer

Section 2. A candidate for Department Commander shall meet the following qualifications: (a) He shall be a member in good standing of a post within the Department.

Section 3. It shall be the duty of the Department Commander to preside at all meetings of the Department Convention and Council of Administration or Executive Committee. He shall, as soon as possible after his election, appoint the following officers:

Adjutant
Chaplain
Surgeon
Patriotic Instructor
Historian
Trumpeter
Color Bearers
Service Officer
Quartermaster
Chief of Staff
Inspector
Liaison Officer
Sergeant-at-Arms
Color Guards

He may appoint deputies as assistants to the appointed Officers. He may remove all appointive Officers at his discretion, except as hereinafter limited in ARTICLE V, SECTION 5 of the By-Laws.

He shall be the Trustee of all property of the Department.

He shall countersign all drafts approved by the Department Convention or Council of Administration or Executive Committee and drawn by the Quartermaster.

He shall take charge of the installation of the posts and their officers and may appoint deputies to act for him.

Section 4. (a) All Department Officers herein provided for by this Constitution shall perform such duties which are usually incident to their respective office, and until such time as the National Constitution or By-Laws provides for specific duties of Department Officers, said duties shall be governed by those prescribed in "The Jewish War Veterans Manual" in force and effect at said time. For Post Officers, however, as to the following Officers, their additional duties are as follows:

Senior Vice Commander is to be responsible for planning and execution of program and fund raising.

1st Junior Vice Commander shall be responsible for the recruitment of new members, organizing new posts, and promoting growth in the membership of the Department.

2nd Junior Vice Commander shall be responsible for the retention of membership, including promoting programs for the reinstatement of lapsed members.

(b) It shall be the duty of the Trustees to make a report at each Council of Administration meeting of:

1. All receipts and disbursements by the Quartermaster of the moneys of the Department.
2. Amounts due to and from the Department.

3. Extent, condition and value of all property of the Department, including supplies in the custody of the Quartermaster.

4. Certification in writing by all of the Trustees that all the books and records of the Quartermaster have been duly checked since the last Council of Administration meeting.

In addition to the above, it shall be the duty of the Trustees to prepare and submit, in writing, under Committee Reports at the Annual Department Convention, a complete financial statement showing the assets and liabilities of the Department of Florida, which shall also include the extent, condition and value of all property of the Department.

Section 5. No appointive Officer in the Department of Florida shall be removed within thirty (30) days of any Council of Administration meeting, or Annual Convention. Such removal and re-appointment of another appointee shall be invalid unless notice in writing shall be given to each Post Commander within ten (10) days of such removal and/or appointment.

Section 6. There shall be appointed by the Department Commander a Department Editor who shall be responsible for the preparation, publication and distribution of a Department newspaper for publication. The editor shall serve after appointment from year to year until replaced by the Department Commander.

ARTICLE VI.

Council of Administration

Section 1. Each Post in the Department shall, between the date of the Department Annual Convention and the date of the first meeting of the Council of Administration of the Department following the Annual Convention, elect three (3) permanent delegates and alternates to represent the Post at all meetings of the Council of Administration of the Department until the next Annual Convention of the Department. An alternate shall have no voice or vote unless and until the delegate for whom he has been designated shall be absent from the meeting.

In the event that any of the delegates and alternates do not attend the meeting, then such delegate or alternate who does attend shall be entitled to vote the full strength of his delegation.

The Post shall have the right to remove or change delegates and/or alternates at an election called for this purpose, and shall notify the Department Adjutant of the results and date of said election at least thirty (30) days prior to the next regular Council of Administration meeting.

Section 2. Three (3) Department Officers and representatives from at least four (4) posts within the Department shall constitute a quorum.

Section 3. The Council of Administration shall have the power to appoint such Investigating Committee in its discretion as may be necessary to determine the effectiveness of the operation of all committees and affairs of the Department of Florida.

Section 4. The Council of Administration shall create a Committee on Committees, which shall have the continuing function of defining the responsibilities of the Department Officers and Department Committees.

Section 5. The Department of Florida President of the Ladies Auxiliary shall have voice, but no vote, at such Council of Administration meetings as she may choose to attend.

ARTICLE VII

Executive Committee

Section 1. Three (3) Department Officers and representatives from at least four (4) Posts within the Department shall constitute a quorum.

Section 2. The Executive Committee shall be vested with the authority to stay and abate actions, resolutions, motions and proposals of the previous Council of Administration meeting by re-referring such actions, resolutions, motions and proposals to the next meeting of the Council of Administration.

ARTICLE VIII

Discipline

Section 1. Offenses of individual members or echelons of the Department of Florida shall be those offenses enumerated by the National Constitution and By-Laws of the Jewish War Veterans of the United States of America.

Section 2. All procedural matters as to penalties, accusations, charges, specifications, and procedures of trial shall be in accordance with the sections of the National By-Laws as set forth under "DISCIPLINE".

ARTICLE IX.

Official Publication

Section 1. The Department of Florida shall publish a periodical, as its official organ, to be known as THE FLORIDA VETERAN NEWS, and such periodical shall be distributed at least three (3) times a year in conjunction with Notice of Quarterly Meeting of the Department of Florida and Council of Administration, and such periodical shall be distributed by mail to the members of the several posts of the Department of Florida.

Section 2. Notices published in the official periodical shall constitute official notice to all comrades as required by these By-Laws, except this shall not include official notice for Executive Committee meetings. Nothing herein shall preclude official notice being given by other means.

ARTICLE X.

Awards

Section 1. The Department of Florida in Annual Convention assembled may award to anyone its own Department meritorious certificate or medal. Such award may be made only if the same was first approved by the Council of Administration or Executive Committee of the Department.

ARTICLE XI.

Public Statements

Section 1. No public statements shall be made inconsistent with National policy.

Section 2. No public statements pertaining to the Department of Florida shall be made unless approved by the Department Commander.

ARTICLE XII.

Alternates

Section 1. Duly elected alternates of the several posts of the Department of Florida shall serve in the stead of duly elected delegates with full power and authority in the absence of elected delegates.

ARTICLE XIII.

Election of Officers

Section 1. The order of elections of Department Officers shall be in accordance with the order of rank of said Officers as set forth in this Constitution and By-Laws.

ARTICLE XIV.

Majority Vote

Section 1. At all Department Conventions and in every echelon of this Organization, a majority vote of the members present and voting shall be necessary for the election to any office. If there is no election on the first ballot, the name of the comrade receiving the least number of votes shall be dropped, and a new ballot taken, and so on, in successive ballots until an election is had.

ARTICLE XV.

Proxy Votes and Absentee Ballots

Section 1. There shall be no proxy votes or absentee ballots within the Department of Florida.

ARTICLE XVI.

Rules of Order

Section 1. The order of business at the Department Convention shall be as follows:

1. Opening of the Convention in due form.
2. Roll call of Officers.
3. Announcement of Committees.
4. Report of Rules Committee.
5. Report of Credentials Committee.
6. Other reports.
7. Unfinished business.
8. New business.
9. Nomination and election of Officers.
10. Installation of Officers.
11. Closing Ceremonies.

Section 2. The order of business may be suspended at any time for a definite purpose by a two-thirds (2/3) vote of the Convention to be taken without debate.

Section 3. Procedure at any meeting of any unit of this organization shall be governed by the rules as laid down in "Robert's Rules of Order", unless otherwise provided herein or in these By-Laws or in the Manual of Ceremonies.

ARTICLE XVII.

Multiple Voting

Section 1. An individual may be both a delegate and a member, but shall vote in one capacity only.

ARTICLE XVIII.

Notice

Section 1. Written notice of Department Conventions, Constitutional Conventions, meetings of Council of Administration, and Executive Committee shall be dispatched by mail, or dated, or as otherwise provided within these By-Laws.

Section 2. Notice of the Annual Department Convention shall be post-marked at least sixty (60) days prior to said Convention, directed to each Post Commander within the Department of Florida.

Section 3. Notice of the meeting of the Council of Administration and Constitutional Convention shall be post-marked at least thirty (30) days prior to said meeting directed to each Post Commander within the Department of Florida.

Section 4. Notice of a meeting of the Executive Committee shall be directed to each member of the Executive Committee of the Department of Florida by dated notice.

ARTICLE XIX.

Amendments

These By-Laws may be amended or altered in either of the following ways:

Section 1. At an Annual Department Convention by a majority of the members and delegates present and voting at a stated meeting at such Convention.

Section 2., By a Constitutional Convention assembled for the purpose of considering the proposed amendments by a majority of the Constitutional Convention delegates and members specified. Voting upon such amendments shall be in accordance with the voting requirements and qualifications of the Council of Administration.

Section 3. Notice of such amendments shall be first given in writing to the Posts within the Department at least thirty (30) days before the stated meeting of the Department Convention or Constitutional Convention.

Section 4. Amendments to the By-Laws shall be submitted, typewritten and double spaced, and shall be signed by the movant and his second.

Section 5. Such By-Law amendments shall become immediately effective upon notification to the Department that same has been approved by the National Judge Advocate.

ARTICLE XX.

Section 1. A Department Convention Committee is hereby created with authority to administer the Annual Department of Florida Convention.

Section 2. A Department Special Events Committee is hereby created with authority to administer Department special events, special affairs, and patriotic rallies, and such other functions as the Department Commander may designate.

Section 3. Appointments to the Department Convention Committee or to the Special Events Committee shall be made by the Department Commander. Such appointments shall have permanent and continuing status beyond a year or beyond the term of office of the Department Commander who made such appointments.

Section 4. The Department Commander shall appoint a Chairman and at least two (2) members to make up the Department Convention Committee or the Special Events Committee.

Section 5. Removal of any member of the Department Convention Committee or the Special Events Committee shall be by resignation or by the majority vote of the Department Council of Administration or at the Annual Department of Florida Convention.

Section 6. The Department Commander shall have the right to appoint additional members to the Department Convention Committee or to the Special Events Committee as he deems appropriate and necessary.