

# SONS OF UNION VETERANS OF THE CIVIL WAR



## DEPARTMENT OF COLORADO/WYOMING BY-LAWS

**8 June 2019**

## Preamble

**W**e, the male descendants of the Soldiers, Sailors, or Marines who served in the Army, Navy, Marine Corps or Revenue Cutter Service of the United States of America during the War of the Rebellion of 1861-1865, Do hereby associate ourselves having joined this Patriotic and Fraternal Order to carry out the purposes and objects and to subscribe to and abide by the Constitution and Regulations governing this Order as promulgated by the Commander-in-Chief of this Order and in so doing pledge ourselves individually and collectively, to commemorate the deeds of our forebears; to render loyal service to our Country, and to promote the maintenance of unqualified American citizenship with respect for and honor to the flag for the patriotic and fraternal order known as The Sons of Union Veterans of the Civil War.

Therefore: We, the brothers, have adopted the following as our rules, regulations, and by-laws as a guide to the conduct of the meetings of the Department and of the Camps and brothers thereof, and in relation to the general welfare of the Camps, the Department, and the Order at large, to wit:

## Article I Name

This Department shall be known as *The Department of Colorado and Wyoming, Sons of Union Veterans of the Civil War*, hereafter referred to as the "Department". It shall be incorporated under the laws of the State of Colorado, and it shall be registered as a tax-exempt, not-for-profit organization with both the State of Colorado and the United States government. It shall be perpetually located in the State of Colorado. The service area of the Department shall include the States of Colorado and Wyoming, and any other states, which may be attached to the Department by the Commander-in-Chief of the Order.

## Article II Membership

**Section 1:** Membership within the Department of Colorado and Wyoming shall be consistent with the membership rules established by the Sons of Union Veterans of the Civil War in their National Constitution and Regulations.

**Section 2:** The one exception to Section 1 shall be that there shall be no members-at-large associated with this Department.

**Section 3:** Associates, Junior Members, and Junior Associates.

a. Associates shall be given unrestricted status as a brother in each Camp. No restrictions are placed on the elected or appointed positions which an Associate may hold within each Camp except that the Camp Commander, Senior Vice Commander and Junior Vice Commander shall always be a full hereditary member.

b. Junior Members and Junior Associates shall be permitted limited membership in each Camp, restricted only by the National rules and regulations and the Department Bylaws. Juniors are prohibited from holding any elected positions within each Camp.

c. Each Camp will, at a minimum, comply with all State laws dealing with Child Protection. Consideration should be given with having parents or legal guardians attend all meeting and events.

## Article III Meetings

**Section 1.** The regular meeting of the Department, known as the Department Annual Encampment, shall normally be held during the month of June, at a time and place designated by the Department Commander.

**Section 2.** Membership at the Annual Department Encampment shall be according to the current National Constitution and Regulations.

**Section 3.** Special Department Encampments shall be called by the Commander, with the consent of the Department Council, upon written request of not less than five brothers in good standing of at least one Camp. Said written request shall contain clearly a statement of the purpose and object of the business, or other matter, to be brought before the members for action. No other business, except such as stated in the written request, shall be brought before or acted upon at this special encampment.

**Section 4.** If an emergency has arisen, the Commander, being the sole judge whether such emergency exists, shall call the emergency Encampment by directing the Department Secretary to give oral or written notice to at least five brothers of each camp. Such Emergency Encampment may be held at the home or place of business of any brother of this Department, or at any other location, and at such time as in the opinion of the Commander is the most practical.

**Section 5.** The location of the next Annual Encampment shall normally be announced at the preceding meeting. However, all brothers shall be notified by the Department Secretary of the time and location of the next Encampment, either by electronic media or in writing, to each member or to the respective Camps, a minimum of one month prior to the next Annual Encampment.

## Article IV Meeting Rules

**Section 1.** Ten brothers in good standing representing at least two Camps shall constitute a quorum, providing that at least one elected officer is present at the meeting. Such elected officer shall be the Commander, Senior Vice Commander, or Junior Vice Commander, and any or all of these officers may be included in the ten members to constitute a quorum.

**Section 2.** Robert's Rules of Order shall govern the deliberations of all Encampments of this Department.

**Section 3.** The established ritual of the Order shall be used whenever and wherever practicable in the conduct of Encampments of this Department or of the meetings of its Camps. The Commander of the Department or Camp will be the final determining authority on whether or not the rituals will be used at a particular meeting.

## Article V Dues and Fees

**Section 1.** Department initiation fees: These fees shall be five dollars (\$5.00), which shall be forwarded by the Camp Treasurer to the Department Treasurer and will accompany all new applications.

**Section 2.** Charter Fee: A fee of twenty-five dollars (\$25.00) must accompany each application for a new or reinstated Camp Charter. All of said fee shall accompany the Charter Application to the National Secretary.

**Section 3.** Per-Capita Tax: The National Organization Per-Capita tax shall be as set of the National Organization. In addition, the Department may levy a per-capita tax in the amount not to exceed the National per-capita tax, if deemed necessary by the Department. This Department per-capita tax shall be deposited into the General Fund and used to cover costs of preparing and mailing quarterly Department Orders to each brother of the Department. Said Department per- capita tax shall be applied to all life, regular, and associate members. (See Article XII below regarding submission of per-capita taxes).

## **Article VI Salaries and Compensation**

No officers or committee members, either elected or appointed, shall receive a salary from this Department.

## **Article VII Bonding**

Any officer of this Department into whose hands are entrusted funds shall give bond in an amount to be determined by a vote of the brothers at a Department Annual Encampment if deemed necessary.

## **Article VIII Special Funds**

**Section 1.** There shall normally be only one fund, known as the General Fund. This fund shall be available for all the purposes of running the Department and upon vote of the brothers of the Department. All monies belonging to said fund shall be kept in a checking account in an insured bank, savings and loan, or credit union.

**Section 2.** The Commander and Treasurer shall have the right to determine normal operating expenses and arrange for payment of same from the General Fund without having to resort to a vote on each item.

**Section 3.** No brother, except for the Commander and Treasurer, nor any committee appointed by the Commander or by the Encampment shall have power to contract debts or obligations for which this Department may be liable, unless especially authorized by a vote of the brothers of this Department and so done at an Annual, special, or emergency Encampment of this Department. If no such previous authorization was received, the brother or committee members must request reimbursement by a vote of the brothers present at the next Annual Encampment. The brother or committee members shall be liable for said debt if the resultant vote is negative.

**Section 4.** If the Commander is unavailable, for whatever reason, then the Senior Vice Commander shall have the right, during that period of absence, to act in his stead under this article.

## **Article IX Committees**

**Section 1.** All committees shall be appointed by the Commander of this Department, unless

otherwise directed by a vote of the Encampment.

**Section 2.** Permanent committees shall include, but not limited to, the following: Annual Encampment Committee, Fraternal Relations Committee, and Membership Committee. The Fraternal Relations Committee shall seek to enhance relations between the Department and the Allied Orders and between Camps of the Department. It shall consist of one brother from each camp and the Chairman, who shall be the current Department Senior Vice Commander. The Membership Committee shall consist of three brothers and the Chairman, who shall be the current Department Junior Vice Commander.

## **Article X Election of Officers**

**Section 1.** Election of Camp Officers. The Camp Commander, Senior Vice Commander, Junior Vice Commander, Camp Council, Secretary, and the Treasurer (or Secretary-Treasurer) shall be elected and installed between the first regular Camp meeting in October and the first regular Camp meeting in January. The Installing Officer shall be any present or Past Department Commander or National Officer, or Past Commander of the Camp, or the outgoing Camp Commander, in that order of preference, provided he is a brother in good standing within the Order.

**Section 2.** Election of Department Officers. The Department Commander, Senior Vice Commander, Junior Vice Commander, Secretary, Treasurer, Department Council, and Delegates and Alternates to the National Encampment shall be elected at the Department Annual Encampment held in June. Election shall be by the "Australian System of Balloting" whereby a majority of affirmative votes of regular brothers present and voting is required for election. The Installing Officer shall be any Present or Past National Officer, any Past Department Commander, or outgoing Department Commander, in that order of preference, provided he is a member in good standing within the Order.

**Section 3.** Voting for Camp or Department Officers shall be by secret ballot, unless a voice vote is authorized by the Camp or Department Commander.

**Section 4.** No brother shall be elected to Camp or Department office if he is not present at the election, unless he has previously indicated his willingness to serve in that position and carry out its duties and responsibilities to the best of his ability.

**Section 5.** On assuming office, the Department Commander shall appoint a Department Patriotic Instructor, Department Chaplain, Department Historian, Department Counselor, Department Graves Registration Officer, Department Grand Army of the Republic Highway Officer and Civil War Memorials & Monuments Officer.

## **Article XI Duties of Officers**

The duties of all officers of the Department shall be as shown in the National Organization Constitution and Regulations, Chapter II Departments, Article V Duties of Officers.

## **Article XII Reports**

Camp Secretaries shall forward duplicate annual camp reports (Form 27) and per-capita taxes covering the current year, to the Department Secretary, on or before the 30<sup>th</sup> day of April. The Department Secretary shall forward the resulting consolidated annual report (Form 35) to the appropriate National authority by the 31<sup>st</sup> of May.

## **Article XIII War Medals**

Camp Secretaries shall forward applications for the War Medal and the cost of same to the Department Secretary. The Department Secretary shall authenticate and file the application, order the medal, and send same to the Camp Secretary upon receipt from National.

## **Article XIV Sons of Veteran Reserves**

**Section 1.** Sons of Veterans Reserve Company B, Second Colorado Infantry, Sons of Veterans Reserve, has an historical affiliation with Centennial Camp 100 and the Department. The Department shall support this unit and any other Sons of Veterans Reserve units, which may be formed, in any and all ways practicable, subject to a vote of the brothers at an Annual or Special Encampment. Members of the Sons of Veterans Reserve shall constitute the uniformed body of this Department and as such are authorized to wear the designated uniform at all Department functions. They shall also serve as the Department Guard and may represent the Department in parades, educational lectures and demonstrations, memorial Services, and any other activities which further the purposes and objects of the Order and this Department.

**Section 2.** Nothing in the above Section 1 shall preclude any brother of this organization from his right to wear a uniform to meetings, activities or other events of his camp or this department.

## **Article XV Suspension of By-Laws**

**Section 1.** Any By-Law may be temporarily suspended by a two-thirds vote of the brothers present and voting at an annual, special, or emergency Encampment, except that part or portion of the by-laws affecting the revenues, and further excepting that part or portion which shall place in immediate effect any proposed amendment of these by-laws.

**Section 2.** Any proposed change or amendment of or to these by-laws must be submitted in writing to the Department Commander by a Camp Commander, said submission shall also indicate that said proposed change was passed by motion or resolution of his camp. Notice of the proposed change shall be included in the notice sent to all brothers concerning the date and time of the next Annual Encampment. The proposed change shall then be read by the Department Secretary or Commander at the next Department Annual Encampment and a vote taken thereon. Adoption of the proposed change or changes shall require an affirmative vote by two-thirds of the brothers present and voting and by absentee votes received by mail prior to the Encampment.

## **Article XVI Disciplinary Procedures**

Should it become necessary to implement disciplinary procedures against any brother of this department the disciplinary rules of the National Organization shall be used.

## **Article XVII Dissolution and Disposition of Assets**

**Section 1:** In the case of surrender or forfeiture of the Department Charter, all Department property and assets shall be turned over to the National Commander-in-Chief of the Sons of Union Veterans of the Civil War via the Department Commander of the affected Department acting as his duly authorized representative to collect and hold all such property in trust for the National Organization, Sons of Union Veterans of the Civil War, an organization exempt from taxes under section 501(c)3 of the Internal Revenue Code.

**Section 2:** All property of the Department shall be held for the National Organization, Sons of Union Veterans of the Civil War, as a charitable trust that is held and used for the purpose for which the Order exists. Any such transfer or disposal within six months of disbandment or surrender of the Department Charter without written consent of the National Commander-in-Chief of the Sons of Union Veterans of the Civil War is prohibited. The property and funds of the Department shall not be divided among its members.

**Section 3:** In the event the National Organization, Sons of Union Veterans of the Civil War, no longer exists, said property and funds shall revert to the benefit of the first and remaining organization of the Allied Orders.

**Section 4:** Notwithstanding the above language, upon dissolution of this organization, assets shall be distributed for one or more purposes within the meaning of section 501(c) 3 of the Internal Revenue Code, or corresponding section of any future federal tax code, or shall be distributed to the federal government or to a state or local government for public purpose.

## **Article XVIII Activities Not In Furtherance of Exempt Purposes**

No part of the net earnings, if any, of this unincorporated association, shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the unincorporated association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes described in section 501(c) (3). No substantial part of the activities of the unincorporated association shall be the carrying on of propaganda, and the unincorporated association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these by-laws, the unincorporated association shall not carry on any other activities not permitted to be carried on (a) by an unincorporated association exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an unincorporated association, contributions to which are deductible under section 170(c)2 of the Internal Revenue Code, or the corresponding section of any future federal tax code.

## **Article XIX Repeal of Previous By-Laws**

All by-laws adopted prior to the date of acceptance of the foregoing by-laws are hereby repealed.

**APPROVAL and ATTEST:**

**APPROVAL:** These By-Laws, having been properly submitted to the membership of each Camp and accepted by a vote of the membership of each Camp are hereby approved. These Bylaws, as amended, become effective upon the approval of the Commander-in Chief Sons of Union Veteran of the Civil War **Approved and adopted the Department of the Colorado /Wyoming Department, on June 08, 2019 Grand Junction, CO.**

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**David Odell Haake, PCC**

**(Date) Department Commander**

**ATTEST:**

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**Eric Dan Richhart, PDC**

**(Date) Department Secretary**



**APPROVED**

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**Donald W Shaw Commander-in-Chief Sons of Union Veteran of the Civil War**

**ATTEST:**

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**Jonathan C. Davis, PDC National Secretary Sons of Union Veteran of the Civil War**