

**The By- Laws**  
**Of**  
**Bernard A Bendle Post 294**

**Article 1 - Name**

Section 1. The Post existing under these By-laws is to be known as Bernard A. Bendle Post 294, of the American Legion, Department of Michigan

Section 2. The objects of this Post are as set forth in the constitution.

**Article II - Management**

Section 1 The Management of the Post is to be entrusted to a committee of 7 members, to be known as the "Executive Committee".

Section 2. The Executive Members shall consist of those members as set forth in the Constitution. All elections of officers and committee members shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

Section 3. All vacancies existing in the Executive Committee, or in any office of the post, for any cause other than the expiration of the term, shall be filled by a majority vote of the remaining members of the Executive Committee with approval of the membership at the next regular **Membership meeting**. A person so appointed shall hold office for the unexpired term of the member of the Committee whom they succeed. A vacancy shall exist when a member or officer is absent from his post for a period considered detrimental to the interest of the post and the Executive Committee.

**Article III – Post Executive Committee**

Section 1. The Post Executive Committee shall meet for organizational and such other business as may come before it, at the call of the Post Commander, within 10 days after the installation of new officers. Thereafter, the Post Executive Committee shall meet at the call of the Commander at least every month and as often as said Commander may deem necessary. The Commander shall also call for a meeting of the Executive Committee, upon joint written request, of three or more members of said Executive Committee. **FIVE** members of the Executive Committee shall constitute a quorum thereof.

Section 2. The Post Executive Committee shall hire such Individuals or contractors as may be necessary and shall authorize and approve **all expenditures as approved by a Majority VOTE of the Membership Present at a regular monthly membership meeting.**

**In the EVENT of a Local or National disaster, the Executive Board shall be required to maintain the Integrity and operation of ALL the Post properties, until such time, as regular Post meetings can be held. The Post Adjutant will then be required to give a COMPLETE report on the necessary actions, that were taken to comply with the above emergency.**

Section 3. The Executive Committee shall secure insurance for all persons having custody of Post Funds: hear reports of Post Committee Chairpersons and make recommendations to the Membership: The Executive Committee shall be subject to the orders of the Membership and none of its acts shall conflict with actions taken by the POST.

## **Article IV – Duties of Officers**

Section 1. **Duties of the Post Commander:** shall be to preside at all meetings of the Post and to have general supervision over business affairs of the Post and such officer **shall be the Executive Officer of the Post and as such shall approve all orders directing the disbursement of funds.** The Post Commander shall make an annual report covering the business of the Post for the year and make recommendations for the ensuing year. The Commander shall perform such other duties as directed by the post membership.

Section 2. **Duties of the 1st Vice Commander:** shall assume and discharge the duties of the commander in the absence or disability of, or when called upon by the Post Commander and be chairperson of the membership committee, and other such duties, as directed by the commander.

Section 3. **Duties of the 2<sup>nd</sup> Vice Commander:** shall assume and discharge the duties of the 1st Vice Commander or when called upon will be the chairperson for special events when directed by the Commander or Post Membership. This will include **ALL** matters pertaining to the promotion of this Post and arrangements for social activities.

Section 4. **Duties of Post Adjutant:** shall have charge of and keep a full and correct record of all proceedings at all meetings, keep such records as the Department and National Organization may require, render reports of membership annually or when called upon at a meeting; and under the direction of the Commander, handle all correspondence of the Post.

Section 5. **Duties of the Finance Officer:** shall have charge of all finances and see that they are safely deposited in a local financial institution or institution's, report once a month to the Executive Committee the condition of the finances of the post; make recommendations as may deem expedient or necessary for raising funds with which to carry on activities of the post; sign all checks for the dispensing the monies of the post. The finance officer shall secure bonds in such sums as shall be directed by the Post Executive Committee.

Section 6. **Post Chaplin:** shall be charged with the spiritual welfare of the Post Comrades and will offer divine but, **NON – SECTARIAN** services in the event of dedications, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 7. **Duties of Sergeant at Arms:** shall preserve order at all meetings and perform such other duties as may be directed by the Commander from time to time.

Section 8. **Duties of Historian:** shall prepare a history of this post during their term in office and submit such history to the post at its annual meeting, collect such other information as may be required to complete the history of this Post from its inception; supplies needed in performance of their duties, **must be requested** thru the Executive Committee.

Section 9. **Duties of the Post Service Officer:** shall oversee visiting and comforting members and their families when sick or bereaved; visit ex- service personnel: keep this post up to date on all matters involving V.A.& R. benefits: communications from Department of Michigan or National regarding benefits.

### **Article V – Delegates**

Section 1. **Delegates and Alternates** to Department or National conventions shall be elected by ballot by the Post at the annual meeting in May.

### **Article VI – Appointments**

Sections 1. **The Post Commander**, immediately upon taking office each year, shall appoint to the following standing committees, Americanism, V.A.& R., Building Rental, Ritual, Children and Youth, Finance, Special Activities, Membership, Sons of the American Legion, Building Chairperson, Cabin Chairperson. Such standing committees shall consist of such members and the chairperson thereof, as shall be designated by the Post Commander, except where such chairperson is assigned as part of the duties of elected offices. **The Commander shall have the power to appoint Special committees as deemed necessary.**

Section 2. **Americanism Committee:** shall be charged with the inspiration of patriotism and good citizenship by arrangements for proper observance of patriotic occasions; provide encouragement of patriotic and civic phases of instruction in schools; Americanization of aliens; combating anti – American propoganda by education of the general public in American ideals through public forums, etc.; promote activities for the community and civic betterment.

Section3 **Ritual Committee** shall ensure that all new members are properly initiated; concern itself with proper presentation of other rituals outlined in the manual ceremonies; oversee burial detail and wearing of legion regalia.

Section 4. **Children and Youth Committee:** shall be charged with aid and service to children of veterans; cooperating with other established agencies in the community; laboring for the betterment of child conditions; coordinating services and agencies in the community for the above purposes; Act as an intermediary for the needy child of a veteran, in obtaining the fulfillment of **the Legions pledge, that no child of a veteran shall need the necessities of life and a square deal for every child.**

Section 5. **Finance Committee:** shall be in charge with the overall administration of the Post finances.

Section 6. **Membership Committee** shall have charge of all matters pertaining to the membership of new members; reinstatements; eligibility of members.

Section 7. **Sons of American Legion chairperson:** The Post shall provide a Post member to observe the operations of the Post's squadron, and to convey any communications that are necessary between the Post and of the Sons of the American Legion.

Section 8. **Building Committee** shall oversee, the Post Home buildings and property. The chairperson of this committee shall oversee all necessary repairs outside of major renovations as voted on by the membership. Reimbursement for such needed repairs is obtained thru the membership.

Section 9. **Post Home hall rental Committee:** shall have charge of any rentals of the buildings. The rental chairperson shall have the power to schedule all rentals, collect deposits and rental fees of the buildings. Any major expenditures shall be approved by the membership.

Section 10. **Higgins Lake Cabin Chairperson** shall have the responsibility for fees and donations, be responsible for the care and maintenance of this property; any major expenditures shall be approved by membership.

## **Article VII – Resolutions**

Section 1. All resolutions of State or National scope presented to this Post, by a member or reported to the Post by a Committee Member, shall merely embody the opinion of this Post. A copy of same resolution shall be forwarded to the 6<sup>th</sup> District for its review and approval. It is then sent to American Legion Department of Michigan for final approval.

## **VIII Meetings**

Section 1. The regular meeting of the Post shall be held at the club room on the first Sunday of each month, (except those that conflict with holidays) at which may be transacted such business as may be properly brought up for action; such meetings may be converted into entertainment meetings, as may be deemed advisable by officers of the Post.

Section 2. The Post Commander or a majority of the Executive Committee shall; have the power to call a special meeting of the post at any time.

Section 3. Upon **written request of 5 members**, the Executive Committee shall have the power to call a special meeting of the Post at any time.

Section 4. **10 members shall constitute a quorum for regular membership meetings.**

Section 5 – All meetings of this Post shall be opened, closed, and conducted as per National Officers Guide and Manual of Ceremonies.

## **Article IX – Notices**

Section 1 – **Every member:** shall provide the Post with their up to date personal contact information.

Section 2 – **The Post Adjutant:** shall cause notice of the annual election to be given at least two weeks prior to thereto.

### Article X – Rules of Order

Section 1. All proceedings of this Post shall be conducted under and pursuant to **ROBERTS RULES OF ORDER**, except as herein otherwise provided.

### Article XI – Limitations of Liabilities

Section 1. – This Post shall incur, or cause to be incurred, no liability nor obligation what’s so ever which will be subject to liability to, any other post, subdivision, members of the American Legion, or other individuals, corporations, or organizations,

### Article XII – Amendments

Section 1. These By – Laws may be amended at any regular meeting by a vote of two – thirds of the members of said Post attending such regular meeting, provided that the proposed amendment shall have been submitted in writing and read at the next preceding regular meeting of said Post, provided further, that written notice shall have been given to **ALL** members at least **30 days prior** to it being voted upon, thus notifying said members that at such, a meeting a proposal to amend the by – laws is to be voted upon.

#### Post Approval

Notification of membership

Date: 8/3/2020

1<sup>st</sup> Reading of Revised Post By– laws

Date: 9/13/2020

2<sup>nd</sup> Reading of Revised Post By-Laws

Date: 10/4/2020

Final Reading and vote

Date: 11/1/2020

Submission date to 6th District

Date: \_\_\_\_\_

Submission date to Michigan Department

Date: \_\_\_\_\_

Michigan Department of the American Legion Final Approval Date.

Date: \_\_\_\_\_

Department officer title \_\_\_\_\_

Signature of Department officer approval

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