

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

Article I – 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.

2. Section 2. The objects and purposes of this Post are as set forth in the Constitution.

Article II – Management

Section 1. The Management of this Post is to be entrusted to a committee of Seven (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 term shall be filled by a majority vote of the remaining members of the Executive Committee with the 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/her 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 and within ten (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.

Section 3. In the Event of a Local or National disaster, the Executive Committee 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 4. 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 2nd 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 the 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 of the Post with which to carry on activities of the Post and 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. Duties of the Post Chaplain: 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., and adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 7. Duties of the 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 the Post 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 required 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 and 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

Section 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, and 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 Committee 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 propaganda by education of the general public in America ideals through public forums, etc., and promote activities for the community and civic betterment.

Section 3. Ritual Committee: shall ensure that all new members are properly initiated, concern itself with proper presentation of other rituals outlined in the manual of 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 and 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, reinstatement and eligibility of members.

Section 7. Sons of the American Legion Chairperson: The Post shall provide a Post member to observe the operations of the Post's Squadron and 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 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 expenditure 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 and any major expenditures shall be approved by the 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 6th District for its review and approval. It is then sent to American Legion Department of Michigan for final approval.

Article 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. Ten (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 the 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 (2) weeks prior to thereto.

Article X – Rules of Order

Section 1. All proceedings of this Post shall be conducted under the 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/Addendum/Interpretation

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 thirty (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.

Section 2. Addendum/Interpretations: The Post Commander is to instruct the Finance Officer on how to finance said standing committees (Club Room, Hall Rental, Cabin, Historian, Building) and their ability to spend monies as needed.

A. Addendum: 20210226 Standard Rules on Member Club Room Usage.

B. Addendum: 20210204 Standard Rules on Member Hall Rental.

C. Addendum: 20210304 Standard Rules on Member Cabin Usage.

D. Addendum: 20210222 Legion Member Point Acquisition How-To.

Post Approval

Notification of Membership	August 8, 2020
First Reading of Revised By-Laws	September 13, 2020
Second Reading of Revised By-Laws	October 4, 2020
Final Reading of Revised By-Laws	March 7, 2021
Submission to Department of Michigan	March 14, 2021

John Kayanek
Commander

Timothy W. Hill
Adjutant