

Constitution

Bernard A. Bendle, Post 294

Department of Michigan

Preamble

For God and Country, we associate ourselves together for the following purposes: To uphold and defend the Constitution of the United States of America; To maintain law and order; To foster and perpetuate a one hundred percent Americanism; To preserve the memories and incidents of our associations in ALL WARS; To inculcate a sense of individual obligation to the community, state, and nation; To combat the autocracy of both the classes and the masses; To make right the master of might; To promote peace and goodwill on earth; To safeguard and transmit to posterity the principles of justice, freedom and democracy; To consecrate and sanctify our comradeship by our devotion to mutual helpfulness.

Article I- Name

Section 1. The name of this organization shall be Bernard A. Bendle, Post 294 of the Department of Michigan.

Article II- Nature

Section 1. The objects and purposes of this organization shall be to promote the principles and policies as set forth in the foregoing Preamble and the National and Department Constitutions of the American Legion.

Section 2. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service.

Section 3. This organization shall be non-political and shall not be used for the dissemination of partisan principles nor for promotion of the candidacy of any person seeking public office or preferment.

Section 4. Rank does not exist in the American Legion. No member shall be addressed by their Military or Naval title in any meeting of this post.

Article III- Membership

Section 1. Eligibility for membership in this post shall be as prescribed by the National Constitution of the American Legion.

Section 2. All applications for membership shall be made in writing, using the American Legion Application form. The form when presented, should be signed by the applicant. The applicant MUST provide one of the following for verification of service to a POST OFFICER. Discharge Certificate, Form DD-214, a certified or photocopy of either one of them, or Active Duty ID, as proof of honorable service.

Section 3. All applicants for membership shall be acted upon at the next Post meeting following the making of such application and shall, at such meeting, be accepted, rejected or referred for further investigation and consideration. The application will be accepted by a majority of those present. A rejected application shall not again be considered until after the expiration of six months from the date of rejection.

Section 4. Any member of this Post may be expelled for cause by a two-thirds vote of the Executive Committee after charges are preferred under Oath, in writing and a fair trial is had upon the same.

Section 5. A member what has been expelled or suspended from this Post for any cause, may be reinstated to membership by a two-thirds vote of the membership present, at the Post Meeting where it is addressed and payment of current dues for the year in which the reinstatement occurs.

Section 6. Any person who has been expelled by any Post prior shall not be admitted to membership in Post 294, without the consent of the expelling Post. Where such consent has been asked for and denied, the expelled person may then appeal to the State Executive Committee, Department of Michigan, or again to the original expelling Post for permission to apply to Post 294. Until such written permission is granted by one of the afore mentioned entities, an expelled person is ineligible for membership in Post 294.

Article IV- Officers

Section 1. The administrative affairs of this Post of the American Legion shall, except as otherwise provided by the by-laws, be under the supervision of the Executive Committee which shall consist of the Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer and two members at Large. Their term of office as members of the Executive Committee shall be one year. This Post, by its By-Laws, may provide for such other standing committees as the business of the organization may require.

Section 2. The officers of this Post shall be a Commander, 1st Vice Commander, 2nd Vice Commander, Adjutant, Finance Officer, Post Historian, Post Chaplain, Post Service Officer, Post Sergeant -At-Arms and such officers that may be deemed necessary by this organization. They shall be nominated from the floor at the meeting preceding the annual meeting and nominations will also be accepted at the annual meeting.

Section 3. If the nominee cannot be present at the annual meeting, a signed letter of acceptance from the nominee will be required.

Section 4. All officers and executive members at large, shall be elected annually and they shall hold office until their successors are duly installed or otherwise provided. Any officer or executive member may be removed for dereliction of duty by the executive committee, by two-thirds vote of said committee being necessary to affect such removal.

Section 5. Every member of the Post in good standing shall be eligible to hold office in this Post.

Section 6. The duties of the officers and executive board members shall be those usually appertaining to such officers or executive board members and as further provided in the by-laws.

Article V- Finance

Section 1. The revenue of this Post shall be derived from annual membership dues and from such other sources as may be approved by the membership of the Post.

Section 2. The amount of such annual dues, shall, be fixed and determined by the Post.

Section 3. The Post shall pay to the 6th District, State Headquarters and National Headquarters an annual membership fee for every member of the Post.

Article VI - Charter Members

Section 1. Members who join this Post prior to November 11, 1919 or members who joined this Post prior to the issuance of the Charter shall be known as Charter Members.

Section 2. The matter of Charter Members for the permanent Charter is left to the decision of the Post members.

Article VII – American Legion Auxiliary

Section 1. This Post recognizes an Auxiliary organization known as the Auxiliary Unit of Bernard A. Bendle Post 294 of the Department of Michigan.

Section 2. Membership in the Auxiliary shall be as prescribed by the National Constitution of the American Legion Auxiliary.

Article VIII – Amendments

Section 1. This constitution is adopted subject to the provisions of the National Constitution of the American Legion and the constitution of the Department of Michigan, of the American Legion. Any amendments to said National Constitution or Department of Michigan, which conflicts with any provisions, hereof, shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

Section 2. This constitution may be amended at the Post meeting by a two-thirds vote of the members of said Post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next meeting preceding regular meeting of said Post and providing, further, that written notice shall be given to ALL members that such at LEAST 30 days in advance of the date when such meeting a proposal to amend the constitution is to be voted upon. All proposed amendments shall have been received and reviewed by the Executive Committee.

Post Approval

Notification of Membership	August 8, 2020
First Reading of Revised Post Constitution	September 13, 2020
Second Reading of Revised Constitution	October 4, 2020
Final Reading of Proposed Post Constitution	March 7, 2021

Submission to Department of Michigan	March 14, 2021
---	-----------------------

John Kayanek
Commander

Timothy W. Hill
Adjutant