

**Councils' By-Laws**  
**Young Men's Institute**  
**Santa Rosa Council #40**  
**(Amended as of 2017)**

**ARTICLE 1**  
*Council Info*

**Section 1 – Name:** This Council of the Young Men's Institute (YMI) shall be known and designated as Santa Rosa YMI Council #40 (hereafter referred to as Council #40 or Council).

**Section 2 – Mission:** Its mission is mutual aid and benevolence, and the moral, intellectual and social improvement of its members. The motto of the Young Men's Institute is "Pro Deo-Pro Patria" which means "For God-For Country".

**Section 3 – Official Address:** The Council must maintain a Post Office Box as its Official Mailing Address: *currently 1585 Terrace Way #314, Santa Rosa, CA 95404*. All correspondence to the Council must go to this address. Keys for the P. O. Box shall be held by the *Council's Treasurer and Financial Secretary*.

**Section 4 – Yearly Term Periods:** This Council bases both its Officer's Term of Office, and its Membership Dues Year periods on the Fiscal Year from July 1<sup>st</sup> to June 30<sup>th</sup> of the following year.

**ARTICLE 2**  
*Membership*

**Section 1 – Membership:** Applicants for membership must be seventeen (17) years of age or over and must be practicing Catholic men, as defined by the Roman Catholic Church, and of good character with temperate and industrious habits. Applications must be made on application forms supplied by Grand Council, and each application must be endorsed by at least one Council member in good standing. Any member of this Council who fails to remain a practicing Catholic shall forfeit his membership in the Order, and any and all benefits and obligations of this Council and of the Young Men's Institute made available to him and his heirs shall immediately become null and void.

**Section 2 – Classes of Membership:** Membership shall be divided into Benefit, Associate, Honorary and *Junior* Members.

- (a) Benefit Members shall consist of those members of this Council who are entitled to the Grand Council Death Benefit and Educational Foundation Benefits, providing they are in good standing with this Council as defined in these By-Laws and the Grand Council By-Laws. Applicants under forty-five (45) years of age must apply for Benefit Membership. A member who has been a Benefit Member for at least six (6) months, upon entry into the military

service may remain a Benefit Member by continuing payment of his monthly dues and assessments, or may choose not to continue monthly payments and be placed in a non-paying no-benefits status until his return from military service, at which time he may apply for return as a Benefit Member.

- (b) Associate Members shall consist of those members of this Council who are entitled to the Educational Foundation Benefits only. Applicants forty-five (45) years of age or over must apply as Associate Members.
- (c) Honorary Members shall consist only of Catholic priests, seminarians, and members of religious communities, and shall be exempt from all dues and assessments. They shall have no vote in Council affairs nor be eligible for office. Honorary Members may apply for Benefit or Associate Membership, subject to the same requirements as other applicants.
- (d) *Junior YMI Members are limited to young men between the ages of 13-23, who are either full-time students or active in military service, as verified by the respective Councils. Such members shall be exempt from all Grand Council dues and assessments, but are similarly not entitled to the Grand Council Death Benefit nor the Educational Foundation Benefits. At age 24, said member will convert to Benefit Membership status and be eligible for the Grand Council Death Benefit and Educational Foundation Benefits.*
- (e) All members are subject to exclusions as expressed in Article 3, Section 2.

**Section 3 – Voting on Applicants:** The applicants sponsor shall assure the Council that the applicant is a practicing Roman Catholic. A Council vote shall be taken on each applicant either by a show of hands or be secret ballot. An applicant shall be rejected if he does not receive a majority of the votes, but another vote may be taken if the members present vote for reconsideration. If an applicant is again rejected, he shall not renew his application for membership for six (6) months.

**Section 4 – Rescission of Vote:** The acceptance of any applicant for membership may be rescinded anytime before initiation by a majority vote of the members present at any Council meeting upon the written objection of two (2) or more Council members in good standing.

**Section 5 – Initiation:** Applicants accepted for membership may be initiated at the same meeting, or shall be notified when to appear for initiation. Before initiation, applicants must make payment of their initiation fees and their prorated dues in advance.

## **ARTICLE 3** *Grand Council Benefits to YMI Members*

**Section 1 – Death Benefit:** A Benefit Member shall be entitled to the Grand Council Death Benefit of **\$1500**, providing he has been a Benefit Member for at least six (6) months and is in good standing with his Council as required for Grand Council Benefits.

**Section 2 – Educational Benefits:** Benefit Members and Associate Members shall be entitled to the Educational Benefits made available to Grand Council through the Young Men’s Educational Foundation providing they have been members for at least six (6) months and are in good standing with their Council as required for Grand Council Benefits.

**Section 3 – Good Standing for Grand Council Benefits:** A member entitled to Grand Council Benefits shall be deemed to have been in good standing with his Council if he was not in arrears for two (2) months dues at the time of his death.

**Section 4 – Grand Council Assessments:** The Board of Grand Directors shall levy the Grand Council Benefit Assessments on each Council as required in the Grand Council By-Laws. For the purpose of paying the Grand Council Assessments, each Council shall levy the Death Benefit Assessment on Benefit Members only and the Educational Assessments on both Benefit and Associate Members. In no case shall the Benefit Assessments be greater than those required by Grand Council. The Benefit Assessments may be included with the annual dues, or collected separately from them, and shall be due and payable on the date of levy of the annual dues.

## **ARTICLE 4** *Council Meetings*

**Section 1 – Regular Meetings:** The regular meetings of the Council shall be held on the first (1<sup>st</sup>) Tuesday of each month, currently at 6:00 P.M. in the Brinker Room at St. Eugene’s Becker Center, which is located at 2323 Montgomery Dr., Santa Rosa, CA 95405. If any changes in the regular meeting time, date, or location are needed due to scheduling conflicts, holidays, or meeting events, these changes shall be announced at the prior regular meeting, in the Council’s Newsletter and *through e-mail*.

**Section 2 – Special Meetings:** Special meetings may be called by the President or upon the written request of at least eight (8) members in good standing, or by vote of the Council. All members shall be notified of such meetings and no business shall be transacted at a Special Meeting other than that for which the meeting was called.

**Section 3 – Quorum:** This Council requires the presence of at least seven (7) members to constitute a quorum, since all Councils shall determine in their By-Laws the number of members necessary to constitute a quorum but in no case shall the number be less than six (6).

**Section 4 – Motions:** Any member in good standing may make a motion or provide a second for a motion. Any member making a motion needs to clearly state his name and motion for the record. All motions require a second before discussion and a vote can be taken to be deemed valid. The member seconding the motion also needs to state his

name, and may be required to repeat the motion to ensure an accurate understanding of the original motion. The Recording Secretary is to record in the Minutes all motions made, and the names of those making the motions. The President shall not make or second any motion, nor can he vote on any motion, but he can take part in any debate or discussion of any motion. The President needs to allow members an opportunity to discuss motions before calling for a vote. Motions may be rescinded and amended following such discussions.

**Section 5 – Voting on Motions:** Council members in good standing who are present at the meeting may discuss and vote on any motions that have received a second. All votes on motions require a majority vote of support from the members present at the meeting to be considered approved. No proxies are allowed, and the President may not vote. For matters deemed to be significant but not urgent, the President may defer the vote for one meeting to allow *the Executive Committee* and members to fully consider the motion and the resulting impacts of that motion. Voting will normally be conducted by a show of hands, or be acclamation by stating “aye” or “nay”. A secret ballot may be utilized upon a valid motion and a majority of support from the membership.

**Section 6 – Visitors:** members may invite visitors to attend a meeting for the purpose of recruiting or for making a presentation. Any such presentation must be cleared with the President prior to the meeting. Visitors are not eligible to motion or vote.

**Section 7 – Respect:** All Council members are Brothers in the YMI. As such, all members are to be treated with respect, and shall provide respect to their Brothers during the meetings.

## **ARTICLE 5** *Council Officers & Appointees*

**Section 1 – Elective Officers:** The elective Council Officers for this Council shall be: President, First Vice President, Second Vice President, Recording Secretary, Financial Secretary, Treasurer, Marshal, Sentinel, and an Executive Committee of at least *five (5)* members.

**Section 2 – Combining Offices:** The Council may combine the offices of Financial Secretary and Treasurer, and the combined office shall be known as Treasurer. The Council may combine the offices of Marshal and Sentinel, and the combined office shall be known as Marshal.

**Section 3 – Appointive Officers:** The Council may authorize the President to appoint such other Officers, Committee Chairmen and Committees as may be required for the well being, operations, or special events of the Council, which may include *but not be limited to* a Good of the Order Chairman, Nominating Committee and Fundraising.

**Section 4 – Eligibility for Office:** Any Benefit or Associate Member, who has been a member for at least one (1) year and is in good standing with the Council, shall be eligible to hold office.

**Section 5 – Term of Office:** The term of office for all Council Officers shall be ***two years***. No term limits exist for any elected position.

**Section 6 – Secretaries’ and Treasurer’s Membership Dues:** To provide Council continuity and stability, and in gratitude for the extra work involved in the Office Position, the Council may pay out ***of the General Fund***, the Annual Dues for any member who is re-elected and remains for consecutive year(s) in the positions of Recording Secretary, Financial Secretary, or Treasurer. In those cases no dues money is collected from, but may be reimbursed to, the members in those Officer positions. Rather, the Council pays their dues and fees as charged in the Grand Council’s billing totals for the Dues Assessments for all members of the Council.

**Section 7 – Presidential Succession:** If the President cannot complete his term of office, the First Vice-President would assume the President’s office and serve as presiding officer of the Council for the remainder of the term. At the same time, the Second Vice-President would become the First Vice-President, and a special election would be held to fill the remaining term of the Second Vice-President.

**Section 8 – Filling Vacancies:** A vacancy in an elected Council Office (other than the President’s, as discussed in Section 7 above) may be filled by nomination at a regular Council meeting, with the election held at the same or at the next regular meeting. All members shall be notified of the action.

**Section 9 – Past Presidents:** The Immediate Past President shall also serve as a Council Officer, with the title of Past President. If the Council has no retiring President, the Council may preferably elect the next prior retired President, or may elect a ***previous Council President*** to fill the office of Past President.

**Section 10 – Removal of Officers:** Any elective Council Officer may be removed from office for a just cause by a two-thirds (2/3) vote of the members present at a Council meeting. An Officer who becomes in arrears in his dues and fails to make full payment of his arrearage, or who fails to attend four (4) successive Council meetings without a just reason for his absence, shall be removed from office immediately. With the approval of the Council, the presiding officer shall declare that office vacant. Removal from office for any other just cause may be taken by a motion at a regular meeting. After notice of the officer removal motion has been given to all Council members of the action to be taken, that motion must be passed by a two-thirds (2/3) vote of the members present at the next meeting after all the members were notified. In all cases, the Recording Secretary shall keep a complete record of the causes and votes of removal. Vacancies may be filled as provided for in these By-Laws.

**Section 11- Grand Council Delegates:** The Council will nominate and elect delegates each year to attend the YMI Grand Council Convention. The number of delegates shall be in accordance with the Grand Council's By-Laws. The Council may select an alternate delegate in case a selected delegate cannot attend and is excused by the Council President. To be a delegate or an alternate, a member must be a member in good standing for a least one (1) full year. *Santa Rosa #40 delegates need to have been an elected Council Officer for one year before becoming a candidate for Grand Council Office.* Delegates shall and must attend all Grand Council Convention meetings, and provide a subsequent report to the Council on the Convention discussion and outcomes. All delegates *will* be reimbursed for reasonable lodging and Convention expenses.

## **ARTICLE 6** *Council Elections*

**Section 1 – Nominations:** *Nominations shall be submitted in writing to the Nomination Committee for review and approval any time prior to the beginning of the Nominating Committee's final meeting in May, and brought to the general membership meeting, at which time nominations will be approved or declined by vote at the June meeting. There will be no nominations from the floor at the June meeting. Nominees must be present to accept nominations and shall be present at the vote in June to accept the vote and conduct the orderly transfer of office.*

**Section 2 – Eligibility to Vote:** Only Benefit and Associate Members in good standing with the Council shall be eligible to vote at Council elections.

**Section 3 – Elections:** Election of Council Officers shall be held annually (normally in June). Elections shall be conducted in a manner acceptable to and approved by the members of the Council. No member shall be declared elected to an office that has not received a majority of all votes cast for that office. No proxy votes are allowed, as members must be present at the meeting to vote. The President may only vote in elections to settle tie. If there is no opposition for an office, the President may conduct a vote by acclamation.

**Section 4 – Installation:** The Council Officers-Elect shall be installed at the first regular meeting following the election (normally July), or at a time and place approved by the Council. No Officer-Elect shall be installed in office who is not in good standing with the Council and who is not familiar with the duties of his office. Any Officer-Elect failing to appear for installation for two (2) successive meetings after his election shall forfeit his right to office, unless a satisfactory reason is given to the Council. The Council as provided for in these By-Laws shall immediately fill an office that is declared vacant.

## **ARTICLE 7**

### ***Duties of Council Officers***

**Section 1 – President:** The President shall preside at all Council meetings, preserving order and enforcing the Grand Council Constitution and By-Laws and the By-Laws of the Council, and shall perform such other duties that properly belong to his office or that may be required of him by the Council. He shall see that all Council Officers perform their duties of office and report regularly to the Council. He shall appoint the Committees established by the Council, or which are required for the well-being of the Council, and shall replace inactive Committee members he has appointed. He shall announce the results of all elections and votes and cast the deciding vote in a tie. While presiding as President, he shall not make or second any motion nor take part in any debate. Prior to the reading of the bills at each meeting, he shall call on the Financial Secretary to report on the receipts of the meeting and name the members who are past due on their Dues. He shall then call on the Treasurer to report if he has received the Council receipts and accounted for them and give a report on the condition of the Council funds. He may suspend from office any Council Officer against whom charges have been properly filed and require the Officer to surrender any Council funds, books, and property in his possession pending the outcome of the charges by the Council's Arbitration Committee.

**Section 2 – Vice Presidents:** The Vice Presidents shall assist the President in the discharge of his duties and their order shall preside in his absence. They shall perform such other duties as may be required of them by the Council or the President. In the absence of the President at a meeting, the First Vice-President shall serve as presiding officer, and the Second Vice-President would be next in line. The First Vice President shall be Chairman of the Council's Pro Patria Committee (***Pro Patria Essay Contest and Pro Patria Raffle***) and the Second Vice President shall be Chairman of the Council's Pro Deo Committee (***Red and White Mass***).

**Section 3 – Recording Secretary:** The Recording Secretary shall keep a record of the proceedings of each Council meeting, including the Officers present or absent, and the receipts and disbursements. He shall keep minutes of the meeting, recording all motions made, votes taken, and actions/steps decided and/or taken. He shall read the minutes of the prior meeting, and any new reports, mailings, applications, and communications received by the Council, as appropriate to keep members informed. He shall have charge of all Council correspondence and notify all members of Council elections, meetings and activities ***through the Council's monthly newsletter and e-mails***. He shall work with the Financial Secretary and the Treasurer to complete and file with the Grand Secretary the Semi-Annual Reports required by Grand Council for the terms ending on March 31<sup>st</sup> and September 30<sup>th</sup> of each year. He shall deliver to his successor, all Council books and property in his possession.

**Section 4 – Financial Secretary:** The Financial Secretary shall make and keep a correct record of all Council finances, including any needed financial summaries for Council meetings, special events, and fundraisers. His books must show, in a clear manner, the debts and credits of each member and of all others doing business with the Council. At each meeting, he shall report on all Council moneys he has received, and shall

immediately pay such moneys to the Treasurer, taking receipt for the amount. He shall have the Council Descriptive Roll Book at all meetings, in which he will note the name, age, birthplace, date of initiation, residence and designated beneficiary of each member initiated, and shall complete the Grand Council Membership Application with this information to be immediately forwarded to the Grand Secretary. He shall notify the candidates of membership of their acceptance or rejection, and notify members of their suspension, retirement, or expulsion. Using the proper forms supplied by Grand Council or prepared by the Council, he shall send Dues Notices to all Council members, notifying those members who are about to be in arrears and inform those members who are liable for retirement. His books must show, in a clear manner, the debts and credits of each member and of all others doing business with the Council. At each meeting, he shall report on all Council moneys he has received, and shall immediately pay such moneys to the Treasurer, taking receipt for the amount. At elections, he shall challenge members not in good standing and disqualified from voting. His books shall be subject to inspection by the Executive Committee whenever they deem it necessary. He shall prepare that portion of the Semi-Annual Report pertaining to his Office for the terms ending on March 31<sup>st</sup> and September 30<sup>th</sup> of each year. He shall, within sixty (60) days after the death of a Benefit Member, forward, to the Grand Secretary the YMI Death Certificate and required death notices for that member. He shall within sixty (60) days after the death of an Associate Member, forward to the Grand Secretary the required death notices for that member. In addition, if the deceased member (Benefit or Associate) has surviving minor children, the Financial Secretary shall make application for the benefits of the Educational Foundation in their name through the Grand Secretary. He shall deliver, to his successor, all Council funds, books, and property in his possession.

**Section 5 – Treasurer:** The Treasurer shall receive, receipt for, and disburse all Council moneys, and keep an account of all his transactions. He shall keep separate ledger accounts of all moneys so as to show the amount of dollar balances in all ledger funds. He shall deposit all Council moneys in the bank, or banks, approved by the Executive Committee and in the name of the Council, subject to withdrawal as approved by the Council. He shall provide a report at Council meetings on the balances in those accounts. He shall pay no money, nor dispose of any property, except as ordered by the Council ***which has been recorded in Council meeting minutes.*** As needed, he shall provide a report at Council meetings summarizing the monthly financial transactions. He shall prepare that portion of the Semi-Annual Report pertaining to his office for the terms ending on March 31<sup>st</sup> and September 30<sup>th</sup> of each year, and obtain a Certificate, signed by an officer of each bank where Council moneys are deposited or provide the most recent bank statement, showing the balance in each account. He shall work with the other Officers to handle any tax preparation requirements mandated by federal or state law in coordination with the Grand Council. He shall deliver, to his successor, all Council funds, books, and property, in his possession, and obtain a receipt for each account.

**Section 6 – Marshal:** The Marshal shall have charge of the meeting hall and shall prepare it for each Council meeting in accordance with the instructions found in the Council Procedure Book. He shall assist the President in maintaining order, present

visitors to the Council, introduce the candidates for initiation, and perform such other duties as directed by the Council or the President. As custodian of Council property, he shall see that all such items are securely stowed in Council lockers at the conclusion of each meeting.

**Section 7 – Sentinel:** The Sentinel shall allow only Council members, and other properly identified members of the Order to enter the meeting hall and prospective candidates if approved by the Council. He shall perform such other duties as required of him by the Council or the President, and shall assist the Council Marshal before and after each meeting with the placing and stowing of Council items.

**Section 8 – Executive Committee:** The Executive Committee shall have general supervision over Council funds and property. They shall examine into and report on all Council receipts and disbursements. ***They must approve and make a motion at each meeting to pay the bills.*** They shall examine council books semi-annually, comparing the vouchers and records with the collections and disbursements, and shall perform such other duties as required of them by the Council. When requested to do so, they shall assist the Board of Grand Directors in administering claims involving Death and Educational Foundation Benefits.

**Section 9 – Immediate Past President:** The Immediate Past President will serve as the Good of the Order Chairman to plan and provide the educational, moral, and entertainment programs for the Council. In the absence of the President or Vice-Presidents at a meeting, he shall serve as the presiding officer. He shall also perform such other duties as required of him by the Council of the President.

## **ARTICLE 8** ***Membership Fees, Dues and Arrears***

**Section 1 – Initiation Fees:** The Initiation Fee for All Benefit and Associate Members shall be ten dollars (\$10.00) and not less. From each Initiation Fee so collected, two dollars and fifty cents (\$2.50) shall be paid to Grand Council for membership and organizational programs.

**Section 2 – Dues:** The yearly dues for all YMI Council #40 Benefit Members shall be ***\$45.40*** and the yearly dues for all YMI Council #40 Associate members shall be ***\$33.40***. Dues shall be due and payable annually (and collected in advance) on June 1<sup>st</sup> of each year for the fiscal Membership year of July 1<sup>st</sup> to June 30<sup>th</sup> of the following year. Dues for new members shall be prorated based on the month they join in the 1<sup>st</sup> fiscal membership year.

**Section 3 – Lifetime YMI Council #40 Membership:** Upon reaching 65 Years of YMI Membership, a Council #40 member may be given a Lifetime YMI Council #40 membership. At the Council #40 meeting prior to the mailing of the Member's 65<sup>th</sup> YMI membership Year's Dues Notice, the member's name and accomplishment shall be

announced. Upon a motion, vote and approval, that member shall retain his YMI membership class, and shall have his YMI dues paid for as long as he remains a YMI Council #40 member. In this case, no further dues money is collected from the Lifetime Member. Rather, the Council pays his dues and fees as charged in the YMI Grand Council's billing totals for the dues assessments for all the YMI Council #40 members.

**Section 4 – Good Standing:** A member shall be deemed to be in good standing who is not in arrears to his Council and who fulfills all the requirements for Council and Grand Council Benefits. Only a member in good standing shall be eligible to vote or debate in Council affairs or to be a delegate to Grand Council or to hold Council or Grand Council office.

**Section 5 – Arrears:** A member shall be in arrears for Grand Council Benefits when he reaches the end of the second month (i.e. July) for which he owes his annual dues, or before his dues payment goes three months past due (i.e. August 1<sup>st</sup>). Dues are due and payable on the first day of each calendar month, but can be paid at the regular Council meetings. Notices of past due members shall be reported at the meetings, and may also be published in the Council Newsletter.

**Section 6 – Notice of Arrearage:** When a member reaches five (5) months past due (i.e. October 1<sup>st</sup>), the Financial Secretary shall state this at the next regular Council meeting (i.e. normally October). Immediately after that meeting, he shall notify the member personally, or by Certified Mail, using the form provided by Grand Council or similar, addressed to the past-due member's last known residence as listed in the Council records. He shall also state at that meeting (i.e. October) and to the member, that unless the sum is paid by the next regular meeting (i.e. November), action may be taken at that next (i.e. November) regular meeting to retire him from the rolls, or, if the Council so decides, he shall be retired immediately at that next (i.e. November) regular meeting.

**Section 7 – Member in Distress:** A member in distress (e.g. sick, injured, etc.) and financially unable to meet his annual dues and assessments may be relieved from his financial obligations by a majority vote of the Council, at which time the Council shall determine under what conditions and the period of time the member shall be relieved of his obligations.

**Section 8 – Retirement:** After a member's dues payment is five (5) months past due, and he and the Council have been properly notified by the Financial Secretary that action would be taken to retire him at the next regular meeting (i.e. November) unless the sum is paid and, if he has not responded by that meeting, he may be retired. At that next meeting (i.e. November), the Financial Secretary shall state the name and the amount due of the past-due member and of the notifications given to him, and the Council shall decide by a majority vote on whether to retire him immediately or to allow him another thirty (30) days (i.e. until December). If the Council allows the extra time, and if after that time the member still has not responded, then he must be retired. At the next meeting after the allowance period (i.e. December), the Financial Secretary shall state the

name, and the actions taken, and the President shall declare the member retired. In either case, the Financial Secretary shall notify the retired member and his beneficiary of the retirement, using the forms provided by Grand Council or similar, and shall notify the Grand Secretary of the action taken. The Council will be relieved of the responsibility for Per Capita Tax and Assessments up the retired member at the end of the Grand Council fiscal year.

**Section 9 – Resignations:** Any member may resign from the YMI Order, but it must be presented to the Council in written form, signed and dated. Such a resignation shall indicate his willingness to forfeit all rights, benefits, and obligations of the Young Men's Institute made available to him and his beneficiary. A member who has resigned from the Order and wishes to rejoin the Order must make an application as a new member, subject to the requirements of a new member.

## ARTICLE 9

### *Council Transfers*

**Section 1 – Transfer Forms:** Any member, who has been a member of his Council for at least three (3) months and is in good standing, may apply to his Council for a Transfer Form. His application must include the payment of at least three (3) months dues in advance (as prorated for an annual dues payment) and he must indicate to which Council he wishes to transfer. If his application is in order, his Council must provide him with a Transfer Form obtained only from the Grand Council Office. The Financial Secretary shall notify the Council, to which the applicant is to transfer, giving the applicant's name and address, and shall also notify the Grand Secretary. Within three (3) months, the applicant must present the Transfer Form to the Council he indicated, and such a presentation shall be considered a membership application. If approved by the Council, the applicant may be accepted for membership. The receiving Council must provide an updated copy of the Transfer Form to the Grand Council Office. A member entitled to Grand Council Benefits shall continue to be entitled to such benefits and shall pay, to his new Council, all Benefit Assessments levied on that Council because of his membership.

**Section 2 – Dues on Transfer:** The dues of a member accepted on a Transfer Form shall commence on the acceptance of his application by the receiving Council. The Financial Secretary of the Council to which the applicant transfers shall immediately notify the Council from which the applicant transferred of the acceptance or rejection of the applicant, and shall also notify the Grand Secretary. For Grand Council Benefits, the liability, of the Council to which the applicant transfers and is accepted, shall commence on the acceptance of his application.

**Section 3 – Transfer Form Returned:** A member issued a Transfer Form who is not accepted by the Council he desires, may reapply for membership in the Council that issued the Transfer Form. If his application is accepted he shall be readmitted as a member in good standing. If the application is not made after three (3) months of issuance of the Transfer Form, the member shall stand retired from the Order but may

reapply for membership, subject to the requirements of a reinstated or of a new member. The Financial Secretary shall notify the Grand Secretary of the above actions.

## ARTICLE 10

### *Arbitration*

**Section 1 – Arbitration Committee:** When necessary, the President shall appoint an Arbitration Committee composed of seven (7) impartial members in good standing, five (5) of whom shall constitute a quorum for transaction of business. The Committee shall hear and determine all matters involving disputes between the Council and its members, or charges by one Council member brought against another member.

- (a) **Jurisdiction of Offenses:** Any member of the Council shall be subject to the charges, trials, and penalties for any violations of the obligations, laws, and rules of the Council or who willingly brings disgrace upon the Order or its Officers and members or defrauds the Council or Grand Council or who uses the name of the Order for personal or political advantage.
- (b) **Charges:** The specific charges must be in writing, fully specifying the complaint with the time and place of occurrence, and shall be read at a regular Council meeting and referred to the Arbitration Committee. A copy of the charges shall be furnished to the accused and the accused and accuser shall be summoned to appear at a time and place set by the Committee.
- (c) **Trial:** The accused and accuser may challenge the evidence presented and question and cross-examine all witnesses. The Committee shall impartially examine the charges made and evidence presented but nothing will be admitted which has no direct bearing on the charges and the Committee shall keep a complete record of the proceedings and testimony given. If the accused refuses to appear, the trial may proceed in his absence. Any member, having information bearing on the charges who refuses to appear or answer questions, may be fined, suspended, or expelled.
- (d) **Report:** When all testimony shall have been taken, the Committee shall declare the trial closed. As soon as possible thereafter, the Committee shall give a full report to the Council concerning the evidence and proceedings of the trial together with their verdict as to the innocence or guilt of the accused. At the next regular Council meeting, the report of the Committee shall be considered and discussed with the accused and accuser present. The President shall then call for a vote of the Council while the accused retires from the meeting hall. A two-thirds (2/3) vote of the members shall be required to decide the guilt or innocence of the accused.
- (e) **Penalties:** If the accused is found guilty, the Council shall immediately determine the penalty. By a two-thirds (2/3) vote, the penalty may be a reprimand; a fine, suspension, or expulsion from the Order and the Council shall determine how and when the penalty will be administered.

(f) **Appeals:** The decision of the Council, concerning the charges and any penalty that may be imposed, shall be final but the accused or accuser shall have the right to appeal to the Grand Council Arbitration Committee within two (2) months from the date of the Council's decision. In the event such an appeal is made, the decision of the Council and the penalty imposed shall be held in abeyance

## **ARTICLE 11** *Use of the Name of the Order*

**Section 1 – Use of Name of the Order:** The name of the Order; or its initials, emblem, or motto; of the name of any Council shall not be used in connection with any public demonstration, excursion, or entertainment in which the Young Men's Institute is not solely interested without first obtaining the approval of the Board of Grand Directors through the Councils' Activities Committee. Any contract or financial liability, which exceeds one thousand five hundred dollars (\$1,500.00), entered into by any Council or its Committees or any organization of the Order, shall first be approved by the Board. No member shall use the name of the Order; or its initials, emblem, or motto; or the name of any Council for personal, business, or political purposes. No alcoholic beverages shall be consumed or dispensed during the business portion of any Business Meeting of the Councils or of the Order. The Board shall have the power to enforce any of these provisions and to discipline any violators with a reprimand, fine, suspension, or expulsion from the Order.

**Section 2 – Conflict of Dates:** Dates selected by Councils for any proposed entertainment, social function, or excursion may be registered with the Grand Secretary. In the event of a conflict of dates, the Council to register first shall have the right to hold that date. The Board shall have the power to investigate into and settle any disputes between Councils concerning the selection of events and conflict of dates and shall have the authority to make and enforce rules governing all such affairs.

## **ARTICLE 12** *Council Revenue*

**Section 1 – Funds:** All moneys received by each Council, from whatever source, shall constitute the funds of the Council out of which all claims against the Council shall be paid. This fund shall be called the General Fund.

(a) **Other Funds:** The Council shall determine the number of subordinate funds to the General Fund that it deems necessary to conduct Council business, and may initiate or terminate these funds as approved by the Council. Committees established by the Council for whatever purpose shall promptly return Council moneys to the Treasurer for distribution to the proper fund or funds as

approved by the Council. Payment from these funds shall be made only upon the approval of the Executive Committee and ordered paid by the Council.

## ARTICLE 13

### *Council Donation Policy*

**Section 1 – Donation objectives:** The Council seeks to provide financial support for qualifying charitable organizations that assist youth groups, Catholic religious orders, and other Catholic or humane causes. Although the Council prefers that such organizations be locally based in the Sonoma County Area, or in the San Francisco Bay or Northern California areas, the members may grant exceptions for worthwhile organizations or for extraordinary catastrophic events elsewhere that require humanitarian relief.

**Section 2 – Donation Process:** Requests for donations may be considered by the Council at each regular meeting. Any Council member may make a motion, or second a motion, to sponsor a donation request. The Executive Committee may be requested by the Council to follow-up on donation requests to determine an organization's worthiness. Each donation request requires approval by a majority vote of the members present at a regular meeting.

**Section 3 – Donation Restrictions/Limitations:** The Council provides the following restrictions and limitations to the donation policy:

- (a) *Donations for a fiscal year, according to a donation formula, must be within the Council's overall administration and operating costs for that fiscal year, including but not limited to the recognition of current liabilities and the rebalancing of the reserve fund to be at: \$15,000 in the savings account \$7,000 in the checking account.*
- (b) Donations shall not be made for building or capital campaigns.
- (c) All donation requests need to be submitted to the Council in a written document (*i.e. donation form and a letter from organization etc.*). The document needs to provide the name and address of the organization, as well as, the amount (if a specific request is made) and the purpose for the funds requested. When necessary, the tax identification number of the organization may also be required. It is permissible for a Council member to prepare and submit a completed donation request form on behalf of an organization.

**Section 4 – Donation Acknowledgements:** At each regular meeting, the Recording Secretary shall read aloud the letters of gratitude received from those charitable organizations receiving funds from the Council. To the extent the members agree, the Recording Secretary may read a summary of such letters, or provide an acknowledgement of their receipt.

**Section 5 – Special Seminarian Collection and Donation:** At YMI membership Dues renewal, a voluntary donation is requested for the YMI Seminarian Education Fund. Currently also known as the “365” or “Penny-A-Day” donation, all such funds collected

for this Seminarian Fund, including any additional Seminarian Fund donations throughout the year, go into a subordinate fund in the Council's General Fund. At the appropriate time, the total funds balance of the Council's subordinate Seminarian Fund is presented to the YMI Grand Council for their main YMI Seminarian Educational Foundation Fund which is responsible for distributing all Seminarian Fund Donations to worthy seminarians. This Seminarian Donation request can be amended, suspended, or cancelled by the appropriate action of this Council, and/or the Grand Council.

## **ARTICLE 14** *Council Events and Activities*

**Section 1 – Chairs:** Members are encouraged to suggest ideas for new events/activities. All Council sponsored events/activities must have a chair, co-chairs or a committee charged with the authority and responsibility for planning the event/activity, for managing the Council authorized costs, and for providing the President and Council with periodic and final reports of the costs and details.

## **ARTICLE 15** *Amendments*

**Section 1 – Amendment of Councils' By-Laws:** These Councils' By-Laws may be amended with a two-thirds (2/3) vote of the members ***present*** at a regular meeting, in the same manner as and in accordance with the provisions of Article XI of the Grand Council by-Laws, Young Men's Institute.

**Section 2 – Council by-Laws:** Each Council may make, adopt, amend, or rescind its own By-Laws or any rules and regulations, providing such By-Laws, rules or regulations do not conflict with the provisions of these Councils' By-Laws Template supplied by the Grand Council, or the Grand Council Constitution and By-Laws. The Council must submit all such Council by-Laws, rules and regulations and all amendments to them to the Grand Council Laws and Revisions Committee for approval within fifteen (15) days after adoption. The Recording Secretary must submit adopted amendments to the Committee through the Grand Council Office. Such amendments shall not take effect if amendments were submitted the Committee does not return the amendments as being disapproved, the amendments shall take effect as though approved by the Committee.

Approved and Adopted...we will need the names of the six Brothers who met on September 5, 2017 with Br. Fourie and their position within Council #40.

