

BENGALI ASSOCIATION OF NEBRASKA
BYLAWS

ORGANIZATION NAME

Name of the Organization – Name of the organization will be “The Bengali Association of Nebraska”.

PHYSICAL ADDRESS

Physical Address: Mr. Samir Mukherjee’s house address (14629 Patrick Circle, Omaha, NE 68116 Tel: 402-964-9097) will be used as the mailing address for the first year.

MISSION STATEMENT

- PROMOTE awareness of Bengali identity, its cultural and spiritual heritage.
- ORGANIZE cultural programs and events involving Bengali and other Indian traditional and contemporary cultural activities.
- ORGANIZE efforts to maintain and perpetuate Bengali and Indian culture among the youth of Indian origin during the process of their assimilation into the American mainstream.
- PARTICIPATE in charitable causes through voluntary work and fund raising.
- FOSTER a spirit of friendship and cooperation between its members through social activities, sports events, musical gatherings, and religious festivals

MEMBERSHIP

Any person subscribing to the mission of the Association shall have the right to membership in the Association. The Association shall be non-discriminatory as to member's race, religion, sex, or national origin. Members shall be 19 years or older to have the right to vote regarding matters related to the activities of the Association.

All members desiring to join the Association shall be required to pay the following annual membership fees:
\$10 for individual, and \$5 for students.

ORGANIZATION STRUCTURE

The Association will be managed by 9 (nine) elected office bearers (called “Executive Committee”). The executive officers of this Association shall be President, Vice-President, Secretary, Joint Secretary, Treasurer, and four other members as Chairpersons of the committees’ (Puja, Cultural, Food, and Fund Raising Committee) with equal voting privileges and assigned duties. The immediate Past-President shall be an ex-officio member of the Executive Committee without voting privileges. The term of the Executive Committee shall be for a maximum of 1 year term. Elections will be followed to elect another set of Committee members.

President: The President shall be the principal executive officer of the Association and subject to the consent of the Executive Committee. He/She shall in general supervise and control the operational affairs of the association.

He/She shall preside at all meetings of the Executive Committee. He/She along with the Secretary may sign any deeds, contracts or other instruments, except in case where the signing and execution thereof shall be expressly delegated by these By-Laws to some other officer of the Association. In general, the President (with active help from the General Secretary and Vice President) shall perform all duties relevant to the Office of the President including presenting the outline of his/her term's activities, budget for approval by the Executive Committee. The President shall be the registered agent of the Corporation.

Vice-President: The Vice-President shall assist the President in executing the duties of his/her office. In the absence of the President, he/she shall preside over all the regular and special meetings of the Executive Committee, and shall perform all duties of the Office of the President. He/she shall succeed the President if the President does not complete his/her term in office. He/She shall also perform all activities related to public relations consisting of broadcasting the activities of the association, subject to the consent of the Executive Committee.

Secretary: The Secretary shall keep minutes of all meetings of the Executive Committee and the General Body. He/She shall attend to the giving and receiving of all notices of the Association and such other books and papers as the Executive Committee may direct. Such notices and minutes shall be open to examination of any member of the Association. Minutes of all meetings shall be distributed to the members of the Executive Committee. He/she shall perform all duties related to membership of the organization. He/she shall solicit new membership, screen and qualify applications for new membership and maintain membership records. Membership fees shall be collected and handed over to the Treasurer for deposit into the association's bank accounts.

Joint Secretary: The Joint Secretary shall assume duties of similar nature to the Secretary. He/She shall attend all committee meetings.

Treasurer: The Treasurer shall maintain custody and keep account of all money, funds and property of the association, unless otherwise determined by the Executive Committee. He/She shall render such accounts and present such statements to the Executive Committee as may be required. The Treasurer shall deposit all funds of the association received by him/her in such bank as the Executive Committee may designate. He/She shall keep the bank accounts in the name of the association and shall make available for viewing the books and accounts at all Executive Committee and General Body meetings. Such books and accounts shall also be available for viewing at all reasonable times to any member of the association upon application to the Executive Committee. The Treasurer shall pay out the money as the purposes may require upon the order of the Executive Committee, taking proper voucher thereof. The Executive Committee shall have power by resolution to delegate any of the duties of the treasurer to other officer(s)

and may require all bills, notes, checks, vouchers, orders or other instruments to be countersigned. The Treasurer shall be responsible for following all state and federal tax laws.

Other Members of the Executive Committee: There shall be four other members of the Executive Committee who shall serve as Chairpersons of the following Standing Committees.

Puja Committee: The Puja Committee shall consist of a chairperson and not less than two members who are not members of the Executive Committee. These two members shall be appointed by the Chairperson. This committee shall be responsible for planning and execution of all religious activities. All proposals for new activities will be submitted to this committee for evaluation and approval. All actions of this committee shall be subject to the approval of the Executive Committee.

Cultural Committee: The Cultural Activity Committee shall consist of a chairperson and not less than two members who are not members of the Executive Committee. These two members shall be appointed by the Chairperson. This committee shall be responsible to review all cultural, sports, etc. activities and plan for all such activities. All proposals for new programs will be submitted to this committee for evaluation and approval. The committee will also design, formulate and arrange for new programs, which will be commensurate with the primary objectives of the Association. All actions of this committee shall be subject to the approval of the Executive Committee.

Food Committee: This committee will consist of a chairperson and not less than two members who are not members of the Executive Committee. The committee will be responsible for planning and executing all arrangements for food services and other necessities for all cultural, religious, sports, etc. functions. The committee may plan to serve food through outside caterers, however this should be subject to the approval of Executive Committee.

Fund Raising Committee: The committee will consist of a chairperson and not less than two members who are not members of the Executive Committee. These two members shall be appointed by the Chairperson. The Treasurer of the Association will be an ex-officio member with voting privileges. It shall be the responsibility of this committee to plan and supervise the fund raising activities of the Association and formulate such policies for sound financial growth of the Association. It shall have the authority to direct the investment and reinvestment of the funds of the Association with approval of the Executive Committee. This committee shall also be subject to follow any direction given by the Executive Committee. It shall assist the President in preparing annually, for submission to the Executive Committee and the General Assembly, a budget for the ensuing fiscal year.

METHOD OF ELECTION

A member to be eligible to the election of office must have been a member of the Association in good standing. A member in good standing shall be defined as one who has been regularly attending meetings and has paid the membership dues on time.

All officers shall be elected by ballot at the annual election meeting unless such a decision is reached unanimously by all members of the association present at the election meeting. A simple majority vote of those members physically present at the annual meeting shall be necessary to elect the officer. The location of the election meeting will be in Omaha, Nebraska, and/or Lincoln, Nebraska, every year.

All nominations will be done with written consent of the nominee before an election is performed.

Elections and Term of Officers: All officers will be elected annually as described above. In general all officers shall hold office for a term of one year. No member can be elected to the Executive Committee for more than two consecutive terms.

Removal / Vacancy: The Executive Committee may fill any vacancies in an office for the unexpired portion of the term of such office.

Election Commission: An Election Commission, consisting of three members who are not part of the Executive Committee will be formed by the Executive Committee / General Body at least 30 (thirty) days prior to the annual election meeting.

The commission shall be responsible for compiling the list of nominees for the various elected positions of the Association. Members and family member(s) of the Election Commission shall not be eligible as a candidate for any position in the Executive Committee.

The following shall be the rules of nomination. Members of the Election Commission cannot nominate/second any candidate for any position of the Executive Committee.

- a. Solicit nominations at least 30 (thirty) days prior to the annual election meeting.
- b. A person may be self nominated or be nominated by another member, but that nomination must be seconded by two other members.
- c. The election commission shall be responsible for evaluating that such a nominee is eligible to be nominated by the By-Laws of the Association.
- d. The floor of annual election meeting will not be open for additional nominations at the time of election.
- e. Nominations can be submitted at least seven days prior to the annual election meeting.
- f. If there is only one nominee for an elected position, then that nominee shall be considered to be elected un-contested.
- g. If no nomination is received for a certain position, then the nominating committee may solicit nominees/members for other positions to apply for the vacant positions.
- h. A person may not compete for more that one position.

Election Month - Elections are tentatively scheduled to be held in the month of April/May of the year.

GOVERNANCE

Fiscal Year: The fiscal year of the Association shall be July 1 to June 30 of the following year.

Annual Meeting: The annual meeting of the General Body shall be held at least once a year which shall also be the election meeting. The out-going President shall give the summary of activities of his term in office and the out-going Treasurer shall give the financial status of Association.

Special Meeting: Special meeting of the General Body may be called by a majority of the Executive Committee or upon the written request of at least twenty five percent of the registered members of the General Body.

Notice of Meeting: Written or printed notice of any meeting shall be given to concerned participants not less than ten days prior to date of meeting.

Conduct of Meeting: Quorum at all General Body Meeting shall constitute twenty five percent attendance of the registered members. Quorum at all Executive Committee meetings shall constitute seventy five percent attendance of the Executive Committee. Meetings shall be conducted by Robert's Rule.

Voting: For a member to be eligible to vote he/she must be at least 19 years of age. Voting shall be by personal attendance at the annual election meeting. Absentee votes may be cast by registered members of good standing in writing and must be received two days prior to the annual election meeting by any member of the Election Commission.

COMPENSATION

There will be no compensation for services rendered by any members of the Association, including its elected members. Any work done by outside help, e.g. secretarial help, printing, copying, etc. will be paid by the organization if considered appropriate by the Executive Committee.

Reimbursement of out-of-pocket expenses of any members of the Executive Committee or regular members will be permitted provided that a Receipt is submitted to the Treasurer of the Association detailing the cause of the expenditure, for which prior permission must be obtained from the Executive Committee.

FINANCE

Contracts: The Executive Committee may authorize any officer, employee or other agent of the Association to enter into any contract or to

execute and deliver any instrument in the name and on behalf of the Association and such authority may be general or confined to specific instances.

Checks, Drafts, Notes: All checks, drafts or other orders for the payment of money and all notes or other evidence of indebtedness issued in the name of the Association, shall be signed by such officer or agent of the Association and in such manner as the Executive Committee may determine from time to time.

Indebtedness: The highest amount of indebtedness or liability to which the Association shall at any one time be subject shall not in any case exceed the value of the property owned by it. The members and officers of the Association shall not be liable personally for corporate debts, and their private property shall be exempt from liability thereafter.

Auditor: An auditor will be nominated by the Executive Committee for auditing the accounts of the association every year. Such an auditor will not be a member of the Executive Committee and will have significant experience in accounting as may be generally considered as one who is an expert in such a field.

Dissolution: Upon the dissolution of the corporation, the Executive Officers shall, after paying or making provisions for the payment of all the liabilities of the corporation, dispose of all the assets of the corporation exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, community service or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 C (3) of the Internal Revenue Code of 1986 (or corresponding provision of any future United States Internal revenue Law), as the Executive Committee shall determine. Any such assets not so disposed of shall be disposed of by the court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

AMMENDMENTS

The amendments to the bylaws shall first be communicated to all regular members at the time of issuing a call for the General Assembly meeting. After having done so, only two-thirds vote of the regular members present shall be required for the approval of the desired amendment. All new proposals regarding activities, programs or financial affairs shall be brought to the attention of the appropriate standing committee, which will review the project and make recommendations to the Executive Committee. However, the final decisions regarding changes in policy or bylaws will only be made by the General Body.