

**PALATINE POST 690, INC**

**THE AMERICAN LEGION, DEPARTMENT OF ILLINOIS**

**POST BY-LAWS**

**ARTICLE I**

**EXECUTIVE COMMITTEE**

SECTION 1. Members of the Executive Committee are the legal directors of a non-for-profit corporation known as The American Legion, Palatine Post 690, Department of Illinois (Post). The Executive Committee is in charge of and responsible for the governance and management of the Post and all Post affairs, except for the authorities granted to the Board of Managers in Article X of these By-Laws.

SECTION 2. Between Post meetings, the administrative affairs of the Post will be vested in the Post Executive Committee and the Board of Managers. The Executive Committee shall be composed of the Commander, Senior Vice Commander, Junior Vice Commander, Sergeant at Arms, Finance Officer, Assistant Finance Officer, Judge Advocate, Adjutant and three Directors at Large, all of whom shall have voice and voting rights. The Chaplain shall serve on the Committee with voice but not the right to make motions nor the right to vote. All past commanders shall serve as advisors with voice but not with the right to make motions nor the right to vote.

SECTION 3. The Executive Committee makes recommendations to the Post membership for their final action. When the nature of the business before the Executive Committee is of an emergency and must be decided on before the next membership meeting, the Executive Committee may take necessary action and must report such action at the next Post meeting.

SECTION 4. The Executive Committee shall meet for organization and such other business as may come before it at the call of the Post Commander within ten days after assuming office. Thereafter, the Executive Committee shall meet at least once a month and more often if the Commander deems necessary. The Commander shall call a meeting of the Executive Committee upon written request of three or more members of the committee.

SECTION 5. The Executive Committee is charged with hiring such employees as may be necessary, except the Clubroom Administrator, bartenders, janitors and other clubroom, bar and hall employees. These employees are to be hired by the Board of Managers. The Executive Committee is entrusted with raising funds for the Post and approving all expenditures, except for operations assigned to the Board of Managers; requiring adequate bonds or liability insurance for all persons having custody of Post funds; and hearing reports of committee chairpersons and from the Board of Managers.

SECTION 6. Five voting members of the Executive Committee shall constitute a quorum for conducting business. The chairperson of the Executive Committee shall be the Post Commander. If the Commander is unable to chair the meeting, the next ranking officer will act as chairperson.

SECTION 7. The report of the Executive Committee shall be given to the membership by the chairperson or Adjutant and shall include the minutes of the meeting.

SECTION 8. A discretionary fund of \$5000.00 shall be available to the Executive Committee for financial emergencies. This fund is included in the annual budget and cannot be increased or replaced except by floor action of the membership. The Executive Committee shall supervise the paying of all bills as budgeted or authorized by the Post membership.

## **ARTICLE II MEMBERSHIP**

SECTION 1. ELIGIBILITY for membership in this Post shall be as provided by the requirements of the National Constitution of the American Legion and the Constitution of the American Legion Department of Illinois By-Laws and Rules of the Convention Article IV, Section 1 as revised on July 16, 2010 and the Post 690 By-Laws, Article IV, Section 1. (Note: All other references in this document to the American Legion Department of Illinois Constitution and/or By-Laws refer to the revisions dated July 16 2010).

SECTION 2. APPLICATION - All applicants for membership shall be made upon the current form or forms as provided by the American Legion, Department of Illinois, and presented to the Senior Vice Commander (membership chairperson) along with proof of eligibility for proper committee consideration as further provided in these By-Laws under "Committees."

SECTION 3. ACCEPTANCE - A two-thirds vote of the members present at any regular Post meeting, a quorum being present, shall be necessary for the acceptance of any application for membership or request for acceptance by a member of another post applying to transfer to Palatine Post 690, American Legion, Department of Illinois.

SECTION 4. REJECTION - A rejected application shall not again be considered for a least one year from the date of such rejection.

SECTION 5. INDIVIDUAL TRANSFER - Any member of this Post desiring to transfer to another post shall be entitled to a transfer card to said post provided all dues and assessments have been paid to date to this post. The approval of his application by the receiving post places him on its roster.

SECTION 6. The annual membership year of the American Legion is from January 1 through December 31 of each year. A member whose dues for the current year have not been paid by February 1 shall be classified as delinquent. If his dues are paid on or before April 1, the delinquent member shall be reinstated. If delinquency continues after April 1, all privileges shall be suspended. If suspension continues through December 31, membership in the American Legion shall be forfeited. A member suspended or whose membership has been forfeited may be reinstated to active membership in good standing by a vote of two-thirds of the members present at a regular Post meeting, a quorum being present, and payment of dues for the year in which the reinstatement occurs. The American Legion may waive the provisions hereof, upon payment of dues for the year in which reinstatement occurs, with reference to former members who have been prevented from the payment of dues by reason of active military service or personal hardship.

SECTION 7. NOTICE - Each member shall assume the responsibility of forwarding a correct address to the Post Adjutant and shall notify the Adjutant of any change thereof.

SECTION 8. SUSPENSION/EXPULSION - Members of this Post may be suspended or expelled from this Post and from the American Legion only upon a proper showing of cause (which may include, but is not limited to theft, dishonesty, and/or conduct unbecoming a Legionnaire).

SECTION 9. CHARGES - Charges made against a member shall be in accord with instructions contained in Article XI of the By-Laws of the American Legion, Department of Illinois.

SECTION 10. REINSTATEMENT - Any member who has been expelled from this Post may be reinstated to membership by a two-thirds vote of the members present at any regular Post meeting, a quorum being present. As a condition of reinstatement, the Post membership, at its option, also may require a member whose membership has been forfeited to make payment of any dues in arrears at the time of expulsion as a condition of reinstatement.

### **ARTICLE III MEETINGS**

SECTION 1. The regular meetings of the Post shall be held at the Post Memorial Home, 122 W. Palatine Road, on the night and time selected by the Post membership at a regular meeting of the membership by a 2/3rds vote of those members present. All meetings of the Post membership and Post Committees shall be open to Post members in good standing. A regular meeting of the Post membership that would fall on a legal holiday shall be held on the corresponding day of the following week.

SECTION 2. ANNUAL ELECTION MEETING of the Post membership shall be the June meeting or within 60 days prior to the annual department convention of the American Legion, Department of Illinois.

SECTION 3. SPECIAL MEETINGS may be called by the Commander. The call shall state the purpose of the meeting and no business other than that for which the said meeting is called shall be transacted. The Commander, upon the request of five or more members, shall call a special meeting of the Post membership.

SECTION 4. QUORUM. Fifteen (15) members of the post, in good standing, shall constitute a quorum.

SECTION 5. The Adjutant shall send notices of the annual election meeting and all special meetings to the membership at least five (5) working days prior to the meeting date. Any form of written notice may be used including the Post newsletter.

SECTION 6. RULES OF ORDER - The procedure of business at any regular meeting of this Post shall be conducted according to the National and Department parliamentary procedure.

SECTION 7. All proceedings of this Post not specifically covered in these by-laws or by special rules of this Post shall be governed by Robert's Rules of Order, Revised.

#### **ARTICLE IV DUES**

SECTION 1. The annual dues to the Post shall be those set by the membership from time to time and shall be changed only at a regular meeting of the membership by a two-thirds vote. A temporary change in the dues may be allowed by the membership for one (1) year to attain district, department and/or national membership goals. Transfer members will be accepted at their existing dues for their first year of membership.

SECTION 2. Annual dues may be paid at any time after the close of the annual department convention of the American Legion, Department of Illinois, and dues are payable as of beginning in July of each year for the succeeding calendar year.

SECTION 3. All national and department annual dues of all charter members, past Post Commanders whose terms were completed prior to 2012 and fifty-year members of Palatine Post 690 shall be paid by Post 690 for as long as they are members of this Post in good standing.

SECTION 4. Beginning in 2012 and in each year thereafter, the newly elected Commander shall, at the first Post membership meeting after assuming office, a quorum being present, recommend to the membership whether the Immediate Past Commander shall have his/her Legion membership paid for life. The vote shall be by secret ballot.

**ARTICLE V  
ELECTIONS AND APPOINTMENTS**

SECTION 1. All elections shall be by secret ballot and a candidate who secures the majority of all votes cast for an office at a regular Post meeting, a quorum being present, shall be considered as elected to that office.

SECTION 2. The Commander shall appoint not less than three members in good standing to a Nominating Committee. The appointed members shall select the Committee's chairperson. The Committee shall nominate members for all voting positions on the Executive Committee specified in Article I, Section 1, the Board of Managers as specified in Article X, Section 1, delegates and alternate delegates to the American Legion Department of Illinois Annual Convention; and any other positions that require membership approval.

When determining which members are to be slated for the positions of Judge Advocate and Adjutant the Committee shall slate members recommended by the person slated for Commander. When determining which member is to be slated for Assistant Finance Officer the Committee shall slate the member recommended by the member slated for Finance Officer. As with all elected positions, nominations from the floor may be made and voted upon along with those members slated by the Nominating Committee.

The Nominating Committee shall meet at least six weeks prior to the annual election meeting of the Post to select from the membership of the Post candidates who, in its judgment, are best qualified to fill the various offices of this Post. Failure to comply with these requirements shall automatically place an open election before the members at the annual election meeting of the Post, a quorum being present.

The recommendations of the Nominating Committee shall be presented at the regular Post meeting prior to the annual election meeting and also published in the Post newsletter.

SECTION 3. Nominations for an elective office of the Post may be made from the floor by any member in good standing, for any member of the Post in good standing, at the annual election meeting. Members nominated from the floor shall be granted one minute to state their qualifications for the positions.

SECTION 4. Each candidate for an office shall declare a willingness to serve by personal appearance before the Nominating Committee or a written commitment filed with the Adjutant or Commander, at the time of nomination.

SECTION 5. Where there is only one candidate for an elective office, a motion to have the Post Adjutant cast a unanimous ballot for that candidate to that office is in order.

SECTION 6. No elected or appointed officer may hold more than one elected or appointed office at the same time. (However, in the absence of qualified members to fill these offices, the Commander may waive this restriction).

SECTION 7. Delegates to the annual department convention of the American Legion, Department of Illinois shall be the number of delegates as set by the department and, in the event of a contest, the candidate with the least number of votes shall be dropped and a new vote taken of the remaining candidates until the appropriate number of delegates is elected.

SECTION 8. Alternate delegates to the annual department convention of the American Legion, Department of Illinois shall be determined as follows: the alternate delegate candidate receiving the most votes cast shall be designated as First Alternate delegate, next most votes Second Alternate delegate, etc. until the appropriate number of alternate delegates is determined.

SECTION 9. DIRECTORS AT LARGE shall be elected for staggered terms; that is one one-year term, one two-year term and one three-year term. Each year thereafter one Director at Large will be elected to a three year term.

SECTION 10. Any elected position except for Department Convention Delegates, is limited to three consecutive terms. After an absence from the position of at least one year the member can be elected to again hold and fulfill the obligations of that position. The term limit can be waived by a simple majority vote of the members present and voting at a regular or special membership meeting, a quorum being present.

SECTION 11. Any member elected to position in the Post may be recalled subject to a two-thirds vote of the members present and voting at a regular or special membership meeting, a quorum being present. A final recall action may not be held until at least 35 days after an initial recall motion is made, seconded and passed by a majority of the members present and voting at a regular or special meeting. The Commander may consult with the Executive Committee and/or the Board of Managers to request a recommendation on the recall to the membership.

**ARTICLE VI  
ELIGIBILITY FOR OFFICE**

SECTION 1. Any member of this Post in good standing shall be eligible to hold office, except that the offices of Post Commander and Senior Vice Commander shall require a membership in the Post of at least two consecutive years immediately prior to the assumption of office .

SECTION 2. The names of all elected officers, directors at large, delegates and alternate delegates to the annual department convention, American Legion, Department of Illinois, elected in accordance with Article V of these by-laws, and the names of other officers requested by the Department of Illinois, shall be forwarded to the Department Adjutant, Department of Illinois, as required in the Department Constitution by the Adjutant.

**ARTICLE VII  
VACANCIES OF OFFICE**

SECTION 1. A two-thirds vote of the Post membership at any regular meeting, a quorum being present, can declare vacant the position of any elected officer, or appointed officer, who is absent without valid reason from three consecutive Post, Executive Committee, Board of Managers, or standing committee meetings. Notice of such proposed action shall be given to such officer by the Commander or Adjutant seven days or more prior to the Post meeting at which the vote to declare the office vacant will be taken.

SECTION 2. Nominations for all vacancies in the elected positions of the Executive Committee, the Board of Managers and any other person voted upon by the membership to an elected position of the Post, other than by expiration of term, shall be filled by a majority vote of the members present at any regular Post meeting, a quorum being present, provided the membership of the Post has been given notice by mail at least one week prior to such election.

**ARTICLE VIII  
DUTIES OF OFFICERS**

SECTION 1. COMMANDER - It shall be the duty of the Commander to preside at all meetings of the Post and have general supervision over the business and affairs of the Post. The Commander shall serve as the chairperson of the Board of Managers. The Commander shall appoint all chairpersons of standing committees and special committees with the approval of the Post membership, when not covered by these By-Laws. The Commander shall serve as an ex-officio member of all committees except the Nominating Committee. The Commander shall have no vote on any matter except to break tie votes.

The Commander shall guide the destinies and policies of this Post and be ever active in promoting the general welfare of the Post. The Commander shall make an annual report covering the activities of this Post and present recommendations for the coming year, and shall present such report at the annual meeting of the Post. The Commander shall perform such other duties as directed to do so by the Post membership or by the Post Executive Committee.

The Commander or his designee may at any time for good reason request that all financial records be made available for audit and inspection and will report to the Post membership at a regular or special membership meeting the findings of the audit and/or inspection.

SECTION 2. SENIOR VICE COMMANDER shall assume and discharge the duties of the office of Post Commander in the absence of, disability of, or when called upon to do so by the Post Commander. The Senior Vice Commander shall act as chairman of the Membership Committee and in turn shall select not less than three members for this committee. It shall be his duty to report this selection on or before the following regular Post meeting after induction into office. The Senior Vice Commander shall perform other duties as membership chairman as set forth in these By-Laws under "Committees," and perform other duties as directed by the Post Commander or the Post Executive Committee.

SECTION 3. JUNIOR VICE COMMANDER shall assume and discharge the duties of the office of Post Commander in the absence of or disability of the Post Commander, or Senior Vice Commander, and shall be chairperson of the Entertainment Committee and in turn shall select not less than three members to this committee. It shall be his duty to report these selections on or before the following regular Post meeting after induction into office. The Junior Vice Commander shall perform such duties of entertainment chairperson as set forth in these by-laws under "Committees" and perform such duties as directed by the Commander or the Executive Committee.

SECTION 4. FINANCE OFFICER shall keep an accurate record of all receipts and expenditures with vouchers and submit monthly and annual statements to the membership and to the Post Executive Committee. The Finance Officer shall assist the finance committee in preparation of the annual budget. The Finance Officer shall keep accurate records of all special accounts, such accounts to be included in each report to the membership and to the Executive Committee.

The Finance Officer shall be responsible for the securing of all bonds, notes, insurance policies, certificates of value, and other securities of the Post and, upon the recommendation of the Executive Committee, place them in a safety depository.

The Finance Officer or the Assistant Finance Officer shall deposit Post proceeds and revenues in approved bank accounts, and shall perform such other duties as directed by the Post Commander or the Post Executive Committee.

SECTION 5. ASSISTANT FINANCE OFFICER shall assist in such duties assigned to him by the Finance Officer. The Assistant Finance Officer shall assist in the preparation of the annual budget and in internal audits shall assume duties of the Finance Officer in case of incapacity.

SECTION 6. SERGEANT AT ARMS shall be custodian of the National and Post Colors and present them at all meetings when appropriate. Additional duties include arranging for ceremonies when requested by the Post Commander and arranging the display of the National Colors and American Legion flag at all funerals when requested by the family.

SECTION 7. DIRECTORS AT LARGE shall serve on the Finance Committee and assist in preparing the annual budget. They shall review the finance records of the Post every six months and prepare a report for the Post membership.

SECTION 8. POST ADJUTANT shall be the secretary of the Post and shall keep full and accurate records of all Post membership and Executive Committee meetings. The Adjutant shall keep such records as National, Department, and Post may require. The Adjutant shall handle all Post correspondence and send all notices for all meetings as provided in these By-Laws. The Adjutant may appoint an assistant in the carrying out of the duties of this office. The Commander may appoint an Assistant Adjutant for specific duties as the efficient operation of the Post may determine.

SECTION 9. JUDGE ADVOCATE shall be the chairperson of the Legal Committee and shall be the advisor to the Commander and to the Post on all legal and parliamentary matters concerning the interpretation of the National, Department and Post constitutions and by-laws and shall perform such other duties incident to his office.

SECTION 10. POST CHAPLAIN shall be in charge of the spiritual and moral welfare of the Post and offer prayers and nonsectarian services at funerals, dedications, patriotic observances, and other public functions, and adhere to such ceremonial rituals as recommended by the National American Legion Manual of Ceremonies.

## **ARTICLE IX COMMITTEES**

SECTION 1. MEMBERSHIP - The Membership Committee shall have supervision over the procuring of new, reinstatement of old, and transferring of members. This committee shall consider the eligibility of candidates for membership and shall present to the Post membership its recommendations for action.

SECTION 2. ENTERTAINMENT - The Entertainment Committee shall be responsible for the social activities of the membership at the regular business meetings and the social meetings. It shall assist in raising funds for the post through planned activities throughout the year.

SECTION 3. FINANCE - The Finance Committee shall be charged with the administration of the financial policy and supervision of the receiving, disbursing and accounting of all Post funds. The Committee shall review the financial books of the Post every six months and give a report at the Post membership meeting. The Committee shall prepare the annual budget and submit it to the Executive Committee prior to submission to the Post membership for approval, a quorum being present.

The Finance Committee shall consist of the Finance Officer (chairperson), Assistant Finance officer, and three Directors at Large. All checks require two signatures and are to be signed either by the Finance Officer or the Assistant Finance Officer and countersigned by either the Commander or the Adjutant.

SECTION 4. SERVICE - The Service Officer and Service Committee shall have as its function the handling of all sick and relief work, such as aid to disabled servicemen and their families, assistance in securing government aid and compensation, temporary relief for the families of totally disabled or deceased ex-servicemen, and such other work as may be assigned to them by the Post Commander, Executive Committee, or Post membership..

SECTION 5. ATHLETIC - The Athletic Committee shall organize, direct and manage all Post athletic activities.

SECTION 6.. PUBLICITY - The Publicity Committee shall be responsible for editing and publishing the Post newsletter and promoting Post events to the community and in the local press and media.

SECTION 7. BOY SCOUT - The Boy Scout Committee shall provide oversight and assistance to Troop 69, and cooperate with the Northwest Council, Boy Scouts of America, in furthering the work and programs of scouting.

SECTION 8. HISTORY - The Immediate Past Commander or such Past Commander appointed by the Commander shall serve as Post Historian and serve as Chairperson of the History Committee. The committee shall compile a complete editorial and pictorial record of the activities of the Post and shall submit this report to the Post Commander, for assistance in making the Commander's annual and consolidated reports, and shall perform such other duties as directed by the Commander or the Executive Committee.

SECTION 9. ALL COMMITTEES involved in transactions of monies from functions managed by said committees shall submit proceeds and receipts over to the Finance Officer or Assistant Finance Officer for deposit and shall submit a written report at the next regular Post meeting, a quorum being present, with a copy placed on file with the Adjutant. Those committees handling special events must submit their report within 40 days after the activity has been completed.

SECTION 10. EACH COMMITTEE shall submit a proposed budget for its term of office, or for a specific event, to the Finance Committee for preparation of the Post budget by January 2 of the calendar year. If this deadline is not met, the Finance Committee will establish the Committee(s) needs.

## **ARTICLE X BOARD OF MANAGERS**

SECTION 1. The Board of Managers shall consist of six (6) Post members who shall be elected with staggered three-year terms that provides for the election of two (2) members by the Post membership each year. The Commander shall serve as the chairperson of the Board as specified in Article VIII, Section 1. The Auxiliary Unit and the Sons of the Legion Squadron (SAL) may each designate one of their members in good standing to serve on the Board to make suggestions and work in the operation and maintenance of the Post building and grounds. Such designations by the Auxiliary and the SAL shall be considered nominations until ratified by the membership at a Post meeting, after which they shall have voting rights, except on personnel matters. They shall not be members of the Bar Committee.

SECTION 2. Three members of the Board of Managers, excluding the Commander, shall constitute a quorum.

SECTION 3. The Board of Managers shall be responsible for the maintenance and operation of the Post home and its grounds.

SECTION 4. The Board of Managers shall have the authority to employ appropriate personnel, set compensation and create job descriptions for each position. Only the Board as a whole, a quorum being present, shall have the authority to discipline and/or terminate any employee.

SECTION 5. The Board of Managers shall have the authority to administer all gaming operations in the clubroom and shall have the authority to sign contracts related to the gaming operations.

SECTION 6. The Board of Managers shall have the authority to maintain business relationships with all vendors and contractors in matters related to the operation of the building and grounds. Contracts for amounts greater than \$5,000 require the receipt and review of at least three bids, and must be approved by the Post membership. The chairperson or designee shall sign all contracts. In case of an emergency, the chairperson or designee shall have the authority to act for the Post. Invoices for equipment, supplies and services must be submitted to the Finance Officer for payment.

SECTION 7. The Board of Managers shall establish clubroom rules and shall have the authority to suspend individuals who violate the rules. Non-members of Post 690 may appeal a suspension only to the Board of Managers as a whole, a quorum being present. Members of the Post may appeal any suspension imposed by the Board of managers to the membership. A two-thirds majority of the members present and voting at a regular membership meeting, a quorum being present, shall be required to overrule the Board's of Managers' decision. Only one appeal per suspension shall be allowed.

SECTION 8. The chairperson shall appoint from the Board of Managers members to serve on committees determined appropriate by the chairperson.

SECTION 9. The chairperson or designee shall keep minutes of all open Board of Managers' meetings and make a monthly report to the Post membership. The chairperson may designate an interim chairperson when unable to participate in any meeting.

#### **ARTICLE XI INDEPENDENT (OUTSIDE) AUDIT**

The Post financial records shall be audited by an independent auditor whenever a new Finance Officer takes office but not less than every three years.

#### **ARTICLE XII APPOINTMENTS**

SECTION 1. The Post Commander, upon taking office, or when a vacancy occurs, may appoint a Chaplain, Historian and the Service Officer and may appoint the chairpersons of the following standing committees: Americanism, History, Service, Athletic, Publicity, Memorial Day, Veterans Day, Boy Scouts, Bingo, Charitable Games, as well as other committee(s) as may be deemed necessary.

#### **ARTICLE XIII LIMITATION OF LIABILITY**

SECTION 1. This Post shall not incur or cause to be incurred any liability or obligation whatsoever, which shall subject any other post, subdivision of, or a member of the American Legion or the American Legion itself, or any other individual, corporation or organization to be responsible for all or a part of such liability or obligation.

**ARTICLE XIV  
RESOLUTIONS**

SECTION 1. All resolutions of State or National scope presented to this Post by a member or by a committee, shall merely embody the opinion of this Post on the subject and a copy of the resolution shall be forwarded to the Ninth District Council, American Legion, Department of Illinois, for consideration before any publicity is given or action taken other than the mere passage of the resolution by the Post.

**ARTICLE XV  
AMENDMENTS TO POST BY-LAWS**

SECTION 1. These by-laws may be amended at any regular post meeting, a quorum being present, by a vote of two-thirds of the members present, provided that the proposed amendment(s) shall have been submitted in writing and read to the membership at that meeting, and provided further that a written notice was given to all members of the Post, or published in the Post newsletter, at least one week in advance of the meeting when such proposed amendment(s) is to be voted on.

**ARTICLE XVI  
DISTRIBUTION OF BY-LAWS**

SECTION 1. Copies of the Constitution and the By-Laws of this Post shall be printed, and a copy shall be mailed to every member of the Post upon request. A copy shall be given to each new member with the initial membership card. Copies of these By-Laws are to be made available at every regular membership meeting of the Post.

**By-Laws Amendments Approved and Adopted by the Post Membership on November 3, 2011.**

