

Rev. 2/01/2007

**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. The executive committee is in charge of and responsible for the governance and management of the post and all post affairs.

SECTION 2. Between post meetings, the administrative affairs of the post will be vested in the post executive committee. This committee shall be composed of the elective officers of the post, three directors at large, post adjutant, post judge advocate, and the immediate past commander all of whom will have voice and voting rights. Other past commanders shall serve as advisors with the right to speak and make motions, but without a vote.

SECTION 3. The post 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, it may take whatever action is necessary and report such action at the next post meeting.

SECTION 4. The post 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 as often as the post 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, but may assign specific hiring to the board of managers in respect to clubroom, bar and hall employees. The executive committee is entrusted with raising funds for the post and approving all expenditures; requiring adequate bonds or liability insurance for all persons having custody of post funds; hearing reports of committee chairmen and the board of managers.

SECTION 6. Five voting members of the executive committee shall constitute a quorum for conducting business. The chairman 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 chair.

SECTION 7. The report of the executive committee to the membership shall be given by the chairman or the adjutant and shall include the minutes of the meeting.

SECTION 8. A discretionary fund of \$2000.00 shall be at the disposal of the post executive committee for financial emergencies. This fund is a part of the annual budget and cannot be 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 American Legion corporation and the post constitution.

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 chairman) with proof of eligibility for proper committee action as further provided in these by-laws under "Committees."

**SECTION 3. ACCEPTANCE.** A 2/3rds 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 wishing to transfer to Palatine Post 690, American Legion, Department of Illinois.

**SECTION 4. REJECTION.** A rejected application shall not again be considered until after the expiration of one year from the date of 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. MEMBERSHIP YEAR.** 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 classed as delinquent. If his dues are paid on or before April 1, he shall be automatically reinstated. If he is still delinquent after April 1, he shall be suspended from all privileges. If he is still under suspension on December 31 of such year, his membership in the American Legion shall be forfeited.

A member so suspended or whose membership has been forfeited may be reinstated to active membership in good standing by a vote of 2/3rds of the members present at a regular post meeting, a quorum being present, and payment of current 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. ADDRESS NOTICE.** Each member shall assume the responsibility of forwarding his correct address to the post adjutant and shall notify the adjutant of any change thereof.

**SECTION 8. SUSPENSION / EXPULSION.** Any member 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 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 II of the by-laws of the American Legion, Department of Illinois.

**SECTION 10. REINSTATEMENT.** Any member of this post, who has been expelled from this post may be reinstated to membership by a 2/3rds vote of the members present at any regular post meeting, a quorum being present. The post, at its option, may also require a member whose membership has been forfeited to make payment of any arrears in dues at the time of expulsion as condition of reinstatement.

**SECTION 11. CLUBROOM RULES.** Any member of this post may be suspended from the use of the post clubroom for conduct unbecoming a Legionnaire, or for the misuse of post property, by the post executive committee with the right of appeal to the post membership.

### **Article III MEETINGS**

**SECTION 1. STATED MEETING.** The regular stated meeting of Palatine Post 690 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 meeting of the post membership that falls on a legal holiday shall be held on the next corresponding day of the following week.

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

SECTION 3. SPECIAL MEETINGS shall be called by the post 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 post commander, upon the request of five or more members, shall call a special meeting of the post membership.

SECTION 4. QUORUM. Twenty (20) members of the post in good standing shall constitute a quorum.

SECTION 5. The post 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 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 Palatine Post 690 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 2/3rds vote. A temporary change in the dues structure may be allowed by the membership for one (1) year to attain district, department or national membership goals. Transfers will be accepted at their original dues for their first year.

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 they are payable as of July of each year for the succeeding calendar year.

SECTION 3. All national and department annual dues of all charter members, past post commanders, 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.

#### **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. Nominations for elective officers, directors at large, board of managers (house committee) and delegates and alternate delegates to the annual department convention of the American Legion, Department of Illinois, shall be made by a nominating committee consisting of five (5) members, in good standing, of the post who have been nominated by the post commander and approved by the post membership.

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.

SECTION 4. Each candidate for an office shall declare his willingness to serve by personal appearance before the nominating committee, or a written commitment filed with the post adjutant or commander, at the time of nomination to the office for which he is a candidate.

SECTION 5. Where there is only one candidate for an elective office, a motion to have the post adjutant cast one 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. (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 required number of delegates are elected.

SECTION 8. Alternate delegates to the annual department convention of the American Legion, Department of Illinois, shall be as prescribed for delegates with the alternate delegate receiving the largest number of votes cast for an alternate delegate designation as No. 1 alternate delegate, next highest vote as No. 2 alternate delegate, etc. until the required number of alternate delegates shall be elected.

SECTION 9. DIRECTORS AT LARGE shall be elected for 1-3 years, 1-2 years, 1-1 year, and one each year thereafter for 3 years.

## **Article VI ELIGIBILITY FOR OFFICE**

SECTION 1. Any member of this post, in good standing, shall be eligible to hold office, except that the office of post commander, and senior vice commander, shall require a membership in the post of at least two consecutive years just prior to the time the office is assumed.

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.

## **Article VII VACANCIES OF OFFICE**

SECTION 1. A 2/3rds 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 may absent himself, without valid reason, from three consecutive post, executive committee, or standing committee meetings.

Notice of such proposed action shall be given to such officer 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 elective offices, delegates at large, and the board of managers (house committee) of this 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. The membership of the post shall be 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 post commander to preside at all meetings of the post and have general supervision over the business and affairs of the post. The commander shall appoint all chairmen 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 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 the post executive committee.

**SECTION 2. SR. VICE COMMANDER** shall assume and discharge the duties of the office of post commander in the absence of, or disability of, or when called upon to do so by the post commander. The sr. 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 sr. 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. JR. 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 sr. vice commander, and shall be chairman of the entertainment committee and in turn shall not select 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 jr. vice commander shall perform such duties of entertainment chairman as set forth in these by-laws under "Committees," and perform such duties as directed by the post commander or the post 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 post 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 post 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. He shall assist in the preparation of the annual budget and in internal audits. The assistant finance officer shall assume duties of the finance officer in case of his inability to do so.

**SECTION 6. SERGEANT AT ARMS** shall be custodian of the National and Post Colors and present them at all meetings when appropriate. He shall arrange for such ceremonies when called by the post commander, and shall display the National Colors and American Legion flag at all funerals when called upon by the family.

## **Article IX COMMITTEES**

**SECTION 7. DIRECTORS AT LARGE** shall serve on the finance committee and assist the finance officer in preparing the annual budget. They shall review the finance records of the post every six months and prepare an audit 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 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. The adjutant shall send all notices for all meetings as further provided in these by-laws.

**SECTION 9. JUDGE ADVOCATE** shall be the chairman 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 HISTORIAN** (immediate past commander) shall compile a complete editorial and pictorial record of the activities of the post and shall submit this report to the post commander for his assistance in making the commander's annual and consolidated reports, and shall perform such other duties as directed by the post commander or the post executive committee.

**SECTION 11. 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*.

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

**SECTION 2. ENTERTAINMENT** committee shall be responsible for the social activities of the membership at the regular business meetings and the social events. They 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. They shall review the books of the post every six months and give an audit report at the post membership meeting. The committee shall prepare the annual budget and submit it to the post executive committee and then to the membership for their approval, a quorum being present.

The finance committee shall consist of the finance officer (chairman), 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 COMMITTEE.** 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 COMMITTEE.** The athletic committee shall organize, direct and manage all post athletic activities.

**SECTION 6.. PUBLICITY COMMITTEE.** 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 COMMITTEE.** The boy scout committee shall provide oversight and assistance to Post Troop 69, and cooperate with the Northwest Council, Boy Scouts of America, in furthering the work and programs of scouting.

**SECTION 8. ALL COMMITTEES** involved in transactions of moneys from functions managed by said committees shall turn all proceeds and receipts over to the finance officer or assistant finance officer for deposit. They shall submit to the post membership a written report at the next regular post meeting, a quorum being present, with a copy placed on file with the post adjutant. Those committees handling special events must submit their report within 40 days after the activity has closed.

**SECTION 9. ALL COMMITTEES** 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 is not done, the finance committee will use its own judgment in determining these budget needs.

**SECTION 10. BOARD OF MANAGERS.**  
(formerly Post House Committee)

a. The board of managers shall consist of six members, whose terms are staggered; two to be elected each year at the regular post election of officers. If there are insufficient candidates, the filling of vacant positions will be deferred until the next post meeting at which there is a candidate.

**SECTION 10. CONTD.**  
**BOARD OF MANAGERS**

b. Following the annual election, members of the board of managers shall meet, organize, and elect a chairman who shall be responsible for presiding at monthly meetings. The chairmanship shall rotate among willing committee members annually. Unless other committee members decline to serve as chair, no individual shall serve more than one term in any three consecutive years.

c. The chairman shall appoint from committee membership: two members responsible for hall rentals; two members responsible for maintenance of the post home; one member in addition to himself responsible for the operation of the clubroom and bar operations. The chairman or his delegate shall keep minutes of meetings and make a report once a month to the executive committee and the post membership covering the operation of the post home. A copy of the minutes shall be given to the commander and the finance officer for audit purposes.

d. The board of managers may retain a clubroom administrator and establish the duties, compensation and expectations for that position in a written agreement. The agreement and job description must be approved by the executive committee with copies retained by the finance officer.

e. The chairman or a delegated member shall be responsible for supervising the clubroom administrator. The administrator shall be responsible for recruiting and scheduling bartenders, when needed, but not sole authority to terminate or reduce hours. That recommendation must be presented to the commander, who will conduct a hearing before the executive committee. The executive committee will convene and hear witnesses called by the clubroom administrator or the employee in question, confer, and issue a decision.

## BOARD OF MANAGERS CONTD.

f. The board of managers shall be responsible for the maintenance and operation of the Post Memorial Home located at 122 West Palatine Road, Palatine, Illinois. The board shall continuously evaluate the condition of the building and grounds, seek competitive bids, and retain contractors or Legion volunteers to maintain the building. The board shall have authority to execute contracts under \$2000 without membership approval, or for greater amounts, with the approval of the commander, in case of an emergency. Invoices for equipment and services are to be turned over to the finance officer for payment.

g. Rules and policies must be prepared in written form by the board of managers as a whole, and must be cleared through the executive committee and submitted to the post membership for approval. Copies of all contracts and agreements must be kept in a post filing cabinet and duplicate copies given to the finance officer.

### **Article X APPOINTMENTS**

SECTION 1. The Post Commander, upon taking office, or when a vacancy occurs, shall appoint the following post officers: Adjutant, Judge Advocate, Chaplain, Historian, and chairmen of the following standing committees: Americanism, Service, Athletic, Publicity, Memorial Day, Veterans Day, Boy Scouts, Bingo, Pull Tabs, Charitable Games, and the chairman of such other committees as may be deemed necessary.

### **Article XI LIMITATION AND 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 XII RESOLUTIONS**

SECTION 1. RESOLUTIONS. 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 XIII AMENDMENTS**

SECTION 1. AMENDMENTS. These by-laws may be amended at any regular post meeting, a quorum being present, by a vote of 2/3rds 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 XIV DISTRIBUTION**

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 who requests it. Copies shall be given to each new member with his initial membership card.