

**CONSTITUTION OF
THE CALUMET MEMORIAL POST No.330
DEPARTMENT OF ILLINOIS
INCORPORATED**

PREAMBLE

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

**- ARTICLE 1 -
NAME**

Section 1. The name of this organization shall be the Calumet Memorial Post No. 330 of the American Legion Department of Illinois.

Section 2. This Post shall be incorporated for nonprofit under the laws of the State of Illinois.

Section 3. Any component part of the Post shall not be used to promote the interest of any individual, organization, political party, faction, or product. Any violation of this provision shall be sufficient cause for disciplinary action against the offending party.

**- ARTICLE 2 -
OBJECTS**

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

**- ARTICLE 3 -
NATURE**

Section 1. Former service rank does not exist in the Legion. No member shall be addressed by his military or naval title in any meeting of this post.

Section 2. This organization may participate in bringing about the correct solution of public policies in a non-political manner, and shall not disseminate partisan principles or promote the candidacy of any person seeking public office, nor participate as an organization in any controversy between labor organization and employers in any controversy and disputes, questions or matters, except such as are defined in the Preamble of this Constitution.

**- ARTICLE 4 -
MEMBERSHIP ELIGIBILITY**

Section 1. Any person shall be eligible for membership in the American Legion who was a member of the Army, Navy, Marine Corps, Coast Guard or Air Force of the United States and assigned to active duty at some time during any of the following periods: WWI - April 6, 1917 through November 11, 1918; WWII - December 7, 1941 through December 31, 1946; Korean Conflict - June 25, 1950 through January 31, 1955; Viet Nam - February 22, 1961 through May 7, 1975, Grenada and Lebanon, August 24, 1982 through July 31, 1984; Panama, December 20, 1989 through January 31, 1990; Gulf War/War On Terrorism, August 2, 1990 to now, all dates inclusive; or who, being a citizen of the United States at the time of his entry therein, served on active duty in the armed forces of any of the governments associated with the United States during any of said periods; provided, however, that

such service shall have been terminated by honorable discharge or honorable separation, or continued honorably after any of said periods; provided further, that no person shall be entitled to membership who, being in such service during any of said periods, refused on conscientious, political or other grounds to subject himself to military discipline or unqualified service.

Section 2. Female personnel of the armed forces such as the WACs, WAVEs, Women's Reserve of the Marines Corps, and SPARs, are eligible for membership under the same rules as the male personnel. The Women's Army Auxiliary Corps, known as the WAACs served with the Army but not as a part of the Army, and are not eligible upon retirement to civilian status. The Women's Army Corps, however, known as the WAC's is a part of the Army under Act of Congress approved July 1, 1943 and the Personnel of the Corps is eligible for membership in the American Legion if they had active service and received an honorable discharge or separation from such service after September 1, 1943, which was the date this Act became effective, to September 2, 1945 inclusive.

Section 3. There shall be no form of membership except an active membership as herein above provided.

Section 4. Application for membership shall be made in writing under such regulations as may from time to time be prescribed by the Post Executive Committee.

Section 5. All application for membership shall be acted upon at the Post Executive Committee meeting following the making of such application, and shall at such meeting be accepted, or rejected for further investigation and consideration. An application for membership needs two-thirds vote of the Executive Committee to be accepted for membership, brought up at the next regular meeting and passed by a simple majority vote of the members present.

Section 6. A member may be expelled from this Post only on proper showing of cause. The charges shall be based upon disloyalty, dishonesty, and conduct unbecoming a member of the American Legion. All charges must be made in writing and presented to the Executive Committee by the accuser. No member is to lose his membership until given a fair trial under rules and regulations as laid down by the Post Executive Committee. No member of the Legion shall be prevented from attending this trial if so desired. A three-fourths vote of the Executive Committee is necessary for conviction. A member so expelled has the right of appeal to the Department Executive Committee, whose decision will be final.

Section 7. A Post member or Post subordinate member, who bring a visitor is responsible for their actions and when they leave, their visitor must also leave, unless another member is willing to take responsibility for the visitor.

Section 8. A Post member or Post subordinate member, shall conduct themselves as a gentleman or lady at all times. Violations of the below will be subject to disciplinary action.

a) Loud, profane or abusive language in or on Post property. Abusive language is defined to mean discrediting a person's reputation by falsehood or rumors.

b) Fighting on Post property, disloyalty, dishonesty, conduct unbecoming at any Post activity, regardless where held, which results in unfavorable publicity is prohibited.

c) Post members cannot represent the Post in unauthorized activities.

Section 9. The Bar Management and/or Bartenders' word is final when a person or persons is asked to leave. If necessary, they will be escorted out of the building and off the property by local law enforcement.

- ARTICLE 5 -

OFFICERS – HOUSING MANAGER - FINANCE CHAIRMAN

Section 1. The officers of the Post shall be: Commander, Senior Vice Commander, Junior Vice Commander, Adjutant, Finance Officer, Sergeant at Arms, Chaplain, Judge Advocate, Historian, Service Officers and Graves Registrar.

Section 2. The Post officers, together with the Past Commanders, Assistant Adjutant, Assistant Sergeant-at-Arms and two (2) at-large members shall compose the Post Executive Committee. A quorum shall consist of six (6) members of the board present; two (2) of which must be Past Commanders. The at-large members attending the meeting will be named by the person running the meeting.

Section 3. All above-named officers are to be elected by the Post, with the exception of the Adjutant, Chaplain, Judge Advocate, Historian, Asst. Adjutant and Asst. Sgt-at-Arms, who shall be appointed by the newly elected Post Commander with the approval of the body.

Section 4. The Housing Manager, Bar Chairman and the Assistant Housing/Bar Chairman are appointed by the Commander with the approval of the membership. Each must be a member of Post 330, Post 330 Auxiliary or Post 330 S.A.L.

Section 5. The Housing Manager, Bar Chairman and the Assistant Housing/Bar Chairman shall furnish a security bond to the amount set by the Executive Committee and paid by the Post..

- ARTICLE 6 -

FINANCE

Section 1. The revenue of this Post shall be derived from membership dues and from such other sources that have received sanction of the Post, as hereinafter provided.

Section 2. The Post shall pay to the Department headquarters the National and Departmental annual membership dues and the District per capita dues as collected from each member of this Post.

Section 3. The annual dues for this Post, including that for Departmental and National headquarters shall be \$35.

Section 4. A member whose dues for the current year have not been paid by February 1st shall be classed as delinquent. If dues are paid on or before April 1st, member shall be automatically reinstated. If still delinquent after April 1st, member shall be suspended from all privileges. If still under such suspension on December 31st of such year, membership in the American Legion shall be forfeited. A member so suspended, or whose membership has been so forfeited, may be reinstated to active membership in good standing by vote of the Post and payment of current dues for the year in which the reinstatement occurs.

- ARTICLE 7 -

LEGISLATION

Section 1. All monies requested to be expended by this Post, other than budgeted items, must first be approved by the Executive Board and then by the general membership.

Section 2. The Housing Manager and Bar Chairman shall be paid up to \$700 per month. The Assistant Housing/Bar Chairman shall be paid up to \$500 per month.

Section 3. All salaries paid shall be deemed as an equitable compensation for any and all expenses incurred in the performance of their duties during their appointed term in office. Prior

approval for any extraordinary expenses that may arise must first receive the approval of the Executive Board and then the membership.

Section 4. In the event the Eighth District elects the Commander of Post 330 as a delegate to the National Convention, Post 330 shall provide for payment of reasonable expenses that may be incurred in attending such convention.

**- ARTICLE 8 -
ACCOUNTABILITY FOR
LEGION PROPERTY**

Section 1. The Housing Manager is personally liable for all property belonging to this Post.

Section 2. No article or piece of property belonging to this Post shall be removed from its place of safekeeping. To do so shall be considered theft, and the person doing it will be guilty of dishonesty toward this Post. The exception is that property which needs to be replaced can be sold or disposed of by a vote of the membership.

Section 3. The Housing Committee shall take an inventory of all Legion Property every September and report of Inventory is given to the Executive Committee.

**-ARTICLE 9 -
AUXILIARY - JUNIOR
PAST COMMANDERS - HONOR GUARD**

Section 1. The Post recognizes an Auxiliary organization, to be known as the "American Legion Auxiliary Unit of Calumet Memorial Post No. 330".

Section 2. The Post recognizes the Legion Squadron organization, to be known as "Sons of the American Legion of Calumet Memorial Post No. 330."

Section 3. The Post recognizes a Past Commanders Club, to be known as the "Past Commanders Club of Calumet Memorial Post No. 330".

Section 4. The Post recognizes the color guard to be known as the "Honor Guard Unit of Calumet Memorial Post No. 330". Other post members, including SAL members 21 years of age or older, are invited to join the Honor Guard.

**- ARTICLE 10 -
RESOLUTIONS**

Section 1. The Post has a resolution on a building fund. This resolution, and amendments, governs itself.

**- ARTICLE 11 -
AMENDMENTS**

Section 1. This constitution may be amended at any regular Post meeting by an affirmative vote of two-thirds of the members of this Post attending such meeting, provided that the amendment shall have been submitted and read at the preceding regular meeting and providing further that notice of proposed change shall have been sent in the newsletter to all the members before the proposed amendment is to be voted on. The scope of the constitution changes shall be included in the notice.

Section 2. The ANNUAL MEETING shall be defined as the June meeting.

Section 3. If the Department or National level raise their dues at their yearly convention, or if an increase is anticipated, then the Post shall be allowed to make a constitution change to Article 6, Section 3 of this constitution. And this will be done at any meeting as necessary upon 30 day notice to the membership.

- ARTICLE 12-

AMERICAN LEGION No. 330 PROPERTY

Section 1. It is further expressly provided that this Post shall not incur indebtedness or obligation of any kind whatsoever, except by a three-fourths vote of all members in good standing attending meeting at such time action is contemplated, and upon 30 days notice to members.

Section 2. And it is hereby expressly provided that this Post shall not sell or dispose of the Club House or real estate now owned by this Post, except by a three-fourths vote of all members of this Post in good standing attending meeting at the time such action is contemplated and upon 30 days notice to members.

Section 3. Anyone dealing with this Post is hereby notified of the limitations and powers of the officers of this Post herein set out.

Approved as amended as of June 13, 2017

**BY-LAWS
OF
THE CALUMET MEMORIAL POST No.330
DEPARTMENT OF ILLINOIS
INCORPORATED**

**- ARTICLE 1 -
MEETINGS**

Section 1. All official meetings of this Post shall be held in the Clubrooms of the Post. Regular meetings will be held on the second Tuesday of each month, at which meeting such business may be transacted as is required for the operation of the Post. When a regular meeting date falls upon a holiday, such meeting shall be held upon the following Tuesday.

Section 2. All regular meetings shall be called to order by the Commander at 7:00 p.m.

Section 3. Quorum - Ten (10) members in good standing, present, shall constitute a quorum.

Section 4. Roberts' Rules of Order shall govern at all meetings.

**-ARTICLE 2 -
SPECIAL MEETINGS**

Section 1. The Commander may call a special meeting at any time after a five day written notice has been given to the membership of such meeting, stating the purpose of such meeting. The Adjutant and 10 members in good standing may call a special meeting by notifying members of the special meeting and specifying the purpose of the meeting. Only such business as is specified in the request shall be considered in this special meeting.

**- ARTICLE 3 -
DUTIES OF OFFICERS**

COMMANDER - shall preside at all meetings of the Post and at all meetings of the Executive Committee; shall perform such other duties as are usually incident to that office. The term of Commander shall be defined as serving a minimum of six (6) months and one (1) day.

SR. VICE COMMANDER - shall assume and discharge the duties of the Commander if absent or disabled; shall be chairman of the Membership Committee by virtue of office.

JR. VICE COMMANDER - shall assume and discharge the duties of the office of Commander or Senior Vice-Commander in their absence; shall be chairman of the Entertainment Committee by virtue of office.

ADJUTANT - shall make notations of all proceedings of Post meetings; shall keep a complete and detailed typewritten record of the minutes of all Post meetings and shall furnish the Commander with a copy prior to each executive and regular meeting; shall keep and prepare all such reports and records as requested by the Department and National Organization; shall perform such other duties as may be assigned from time to time by the Commander or Executive Committee; shall perform all official correspondence; shall keep a careful report and record of membership and be prepared to report on same whenever called for; shall keep a file of all Legion records and correspondence in a place provided for that purpose. At the conclusion of term of office, Adjutant shall turn over all records and equipment in his charge to his duly appointed successor. The books of the Adjutant's Office shall be audited annually.

ASSISTANT ADJUTANT - shall assist the Adjutant in all matters pertaining to that office.

FINANCE OFFICER - shall have charge of all monies of this Post, with the exception of Housing Committee Funds, and see that they are safely deposited in some bank or banks in this community which have been recommended by the Executive Committee and approved by the Post membership; shall report once a month as to the finances of the Post; together with the Commander, must sign all checks authorized by the Post; shall furnish a security bond to the amount set by the Executive Committee, which expense shall be borne by the Post; shall be a member of all committees that handle funds. The books shall be ready for inspection at all times and for auditing by our auditor at least twice a year. The copy of the annual audit, certified by the Auditor, shall be kept in a designated place in the Post Quarters.

JUDGE ADVOCATE - shall attend all Post meetings and advise the Commander on all questions of parliamentary procedure.

CHAPLAIN - shall be available for all Legion funerals and services where required by virtue of office; shall be Chairman of the Memorial Day Services.

HISTORIAN - shall make a chronological record of all activities of the Post and submit a written history of it at the end of the fiscal year.

GRAVES REGISTRAR - shall keep a complete record of death and place of burial of all deceased members; shall publish member deaths in the newsletter.

SERGEANT-AT-ARMS - shall preserve order at all Post meetings and shall perform such other duties as may be assigned as usually incident to this office.

VACANCY: When a vacancy occurs in the Office of Commander, Sr. Vice Commander will become Commander and the Jr. Vice Commander will become Sr. Vice Commander. If the Jr. Vice Commander's office, or other elected offices become vacant, it shall be filled by an election at the next regular Post meeting. Notification of the proposed election will be published in the newsletter prior to the meeting. Appointed offices will be filled by appointment by the Commander with the approval of the membership present. After approval the appointed offices must be printed in the newsletter.

- ARTICLE - 4
ORDER OF BUSINESS

The order of business of this post shall be:

1. Reading of minutes of previous and special meetings.
2. Executive Committee report
3. Obligation of candidates accepted for membership.
4. Report of Officers.
5. Report of Committees.
6. Communications.
7. Unfinished business.
8. New business
9. Good of the Legion.

- ARTICLE 5 -
HOUSING COMMITTEE

Section 1. The Housing Committee shall have complete charge of the house and grounds, the management of the house and grounds, the management of the bar, and make monthly reports to the Commander and Executive Committee as to the business carried on by this Committee. All records of this committee are to be kept in a designated place in the Post Quarters.

Section 2. The Housing Committee shall consist of the Housing Manager, Bar Manager, Assistant Housing/Bar Chairman and six (6) other members. The Commander, with the approval of the membership, shall appoint these members.

Section 3. The Housing Committee shall take office on September 1st and hold office until August 31st of the following year.

Section 4. The Housing Committee shall meet at least once a month; a quorum must be present to hold a meeting. A quorum shall consist of six (6) members. Two (2) at-large members may be appointed by the person leading the meeting.

Section 5. No meeting of the Housing Committee shall be held unless all members of the Housing Committee are notified of such meeting.

Section 6. The Housing Committee has full power to spend up to \$1,000.00 on any one item without approval of the membership. Any expenditure over \$1,000.00, except in emergency situations, must be approved by the Executive Committee and then by the membership present at a regular monthly meeting.

In cases of emergency repairs to the property, the Housing Manager may spend up to \$10,000 with the approval of five (5) members of the Housing Committee and five (5) members of the Executive Board. A written report explaining the problem and the reason it could not wait, along with the names of the members that approved the expenditure, along with their method of contact, must be submitted to the Housing Committee, Executive Board and General Membership at their next regularly scheduled meetings.

Section 7. All service and maintenance contracts must have approval of the Housing Committee, Executive Committee and the membership present at a regular monthly meeting.

-ARTICLE 6-
- EXECUTIVE COMMITTEE -

Section 1. The Commander shall prepare the annual proposed budget and present it to the Executive Board for approval within one month of said committee taking office, and then to the membership at the next regular meeting.

Section 2. Revenue from dues and other customary sources must be applied on budgeted expenses and cannot be diverted for other purposes.

Section 3. No one shall have the right to solicit funds in the name of the Post without prior authorization from this Post.

Section 4. Any member indebted to this Post for any reason whatsoever must pay this indebtedness within one (1) month or shall be suspended from membership until this debt is paid. When the Post is indebted to a person, the person must submit a bill or receipt to the Commander

within one (1) month.

Section 5. All funds collected for this Post must remain on the property and be turned over to the Finance Officer within one week after the collection. Failure to comply may result in suspension of membership privileges until paid. If not turned over within two (2) weeks, the member shall be deemed guilty of dishonesty to this Post and shall be subject to action by the Executive Committee.

Section 6. The Fiscal Year shall begin with the first meeting after the Department Convention and run until the first meeting following the next Department Convention, inclusive. The report of the Post Auditor shall be submitted to the Post within thirty (30) days from the end of the fiscal year.

-ARTICLE 7 -

NOMINATION AND ELECTION OF OFFICER AND DELEGATES

Section 1. The Nominating Committee shall consist of three (3) members. They shall be appointed by the Commander. The list of candidates submitted by the Sr. Vice Commander to the Nominating Committee for the various offices and delegates shall be considered as letters of intent of candidates seeking endorsement by the Nominating Committee. Other members seeking office or to become delegates must submit a letter of intent to the nominating committee prior to April 1st. The Nominating Committee shall report their recommendations at the next regular Post meeting.

Section 2. The election of officers and delegates shall be held during the May meeting. Newly elected officers will assume office on the first regular monthly meeting after the Department annual convention.

Section 3. The election Committee consisting of three (3) members, including the Chairman, shall be appointed at the April meeting.

Section 4. All members in good standing are eligible to serve on the election committee except candidates for an elected Post office and for delegate to the Department Convention.

Section 5. Candidates for office and/or delegate to the Department Convention must be members in good standing and have attended a minimum of six (6) general membership meetings within the last Legion year.

Section 6. All votes on ballots shall be marked with an "X" in the square provided or by a show of hands.

Section 7. There shall be no campaigning in the voting area.

-ARTICLE 8-

DELEGATES

Section 1. Delegates to the Department Convention shall be elected by secret ballot with the exception of the first two (2) delegates, who shall be the outgoing Commander and Adjutant. The Candidates shall be ranked according to the number of votes each receives, top ranking candidate (3rd) and so on down the list for the required numbers of delegates. The next ranking candidate shall be the first alternate and so on down the list. In case of inability of any delegate to attend, the highest-ranking alternate shall take this place.

Section 2. All delegates attending the Department convention must give an oral report at the Post meeting within three (3) months from the convention close, with emphasis on resolutions presented. Failure to do so will make the delegate ineligible to attend the convention as a delegate for the next two (2) years.

Section 3. The outgoing Commander must give a list to the new Commander to verify that all reports are given. The Adjutant will keep the list in the minutes book during the year, and will turn it over to the next year nominating committee when they are appointed.

Section 4. The Post shall pay the expenses of the delegates to the Department Convention to the sum set up in the budget. No room will be used exclusively as a hospitality room. The name of the hotel shall be posted on the bulletin board prior to the convention.

Section 5. Delegates for the Department Convention shall be housed in single rooms for a total of three (3) nights.

Section 6. Delegates to the Cook County council shall be nominated and elected at the same time and in the same manner as the Officers of the Post.

Section 7. Delegates to the Eighth District shall be nominated and elected at the same time and in the same manner as the Officers of the Post.

-ARTICLE 9- COMMITTEES

Section 1. The Post Commander upon taking office shall appoint all committees necessary to comply with the Department mandate, their duties shall be those usually incident to such committees and any duties that the Post may decide. The Committees will assume their duties upon approval of the Post membership at the regular monthly meeting. By virtue of office, the Commander is a member of all committees.

Section 2. An Honor Guard, which includes the Commander, Vice Commanders, Chaplain and Sgt.-at-Arms will conduct Post Everlasting and/or Funeral Services for deceased members in good standing. Services, or variance of same, shall be conducted as prescribed in the American Legion Manual of Ceremonies. Up to three (3) drivers, with a minimum of three (3) passengers, shall be paid a stipend of \$10.00 each for funerals and out of town wakes and other sanctioned events. The member in charge of the services will designate the driver(s) to be paid.

Section 3. Honor Guard members in uniform, including other organizations, representing Post 330 in sanctioned events are entitled to two (2) liquid refreshments at the Post bar following the event.

-ARTICLE 10- REPORT OF COMMITTEES

Section 1. All committee reports which include an expenditure and/or receipt of funds must be detailed in writing and include outstanding bills and uncollected funds.

Section 2. It shall be the duty of the Adjutant to place these written reports in their proper place in the minutes book.

Section 3. A copy of the Constitution and By-Laws shall be on the podium at all regular meetings. Further, all changes to the Constitution and By-Laws shall be changed and inserted into the Constitution and By-Laws book by the next regular meeting.

Section 4. A copy of the minutes of both the Executive Board and Regular meeting shall be at all regular meetings for the current year along with a copy of the final two (2) months from the previous year.

**-ARTICLE 11-
HALL RENTAL TO MEMBERS**

Section 1. The Post hall may be used free of charge for a gathering following a funeral, if the hall is available, in the event of the death of a member, spouse, father, mother or unmarried children of the Post, Auxiliary or S.A.L. This does not include any other charges.

Section 2. Any member in good standing for one (1) year from the date of acceptance may rent the Legion Hall at a special rate for a function. This includes unmarried children, Auxiliary and S.A.L. members. The Housing Committee governs all other rules concerning this special rate

**-ARTICLE 12-
LIMITATIONS OF LIABILITY**

Section 1. The Post shall not incur, or cause to be incurred, any liability or obligations whatsoever which shall place any liability upon any other Post, members of the Legion, or any other individual or individuals, corporation or organization.

**-ARTICLE 13-
S.A.L. & AUXILIARY PARTICIPATION
IN POST ACTIVITIES**

Section 1. Active S.A.L. and Auxiliary members with children shall be allowed to have their children, within the Post age limits, participate in the Annual Christmas Party. They and their families may attend the Annual Picnic.

Section 2. Adult S.A.L. and Auxiliary members may attend the Annual Membership Smoker.

Section 3. Adult S.A.L. and Auxiliary members may serve as Business Manager or Assistant or Bar Chairman or Assistant appointees. Sections 4 & 5 of Article 5 of the Constitution also applies to this article.

**-ARTICLE 14-
AMENDMENTS**

Section 1. Any ruling of the Department or National Organization of the American Legion which affects or conflicts with any provisions herein shall be deemed an amendment to the By-Laws.

Section 2. The By-Laws may be amended at any regular Post meeting by a two-thirds vote of the membership present, constituting a quorum. Amendments must be printed in the following newsletter.

Section 3. These By-Laws may be temporarily suspended by a two-thirds vote of the membership at any regular Post meeting.

**-ARTICLE 15-
COPIES OF THIS CONSTITUTION
AND BY-LAWS**

Section 1. Copies of these Constitution and By-Laws will be available to all Post members at the Post Home.

By-Laws approved as amended as of June 14, 2016

