



The American Legion
Jacksonville, Illinois Post 279

Constitution and By-Laws

6 September 2016

Revised 1 August 2017

Revisions are underlined

CONSTITUTION AND BY-LAWS OF

JACKSONVILLE AMERICAN LEGION POST 279

THE AMERICAN LEGION, DEPARTMENT OF ILLINIOS

CONSTITUTION

PREAMBLE

For God and Country, we associate ourselves 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 I- NAME AND HEADQUARTERS

SECTION 1. The Name of this organization shall be Jacksonville American Legion Post No. 279. The American Legion, Department of Illinois.

SECTION 2. The Post Headquarters shall be located at 903 West Superior Avenue, Jacksonville, Illinois 62650; all notices and documents addressed to the Post shall be sent to these Headquarters.

ARTICLE II - OBJECTIVE

SECTION 1. The objective and purpose of this Post shall be to promote the principles and policies set forth in the foregoing preamble, and the National, Department Constitution and By-laws of The American Legion.

ARTICLE III - NATURE

SECTION 1. This Post is a civilian organization and membership therein does not affect or increase liability for military or police service. Rank does not exist in The American Legion; no member shall be addressed by his military or naval title in any meeting of the Post.

SECTION 2. This organization shall be absolutely non-political and non-sectarian, and shall not be used for the dissemination of partisan principles or for the promotion of the candidacy of any person seeking public office or preferment.

SECTION 3. Each member shall perform his full duty as a citizen according to his own conscience and understanding.

ARTICLE IV - MEMBERSHIP

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: April 6, 1917 to November 11, 1918; December 7, 1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31, 1984; December 20, 1989 to January 31, 1990; August 2, 1990 to the cessation of hostilities as determined by the Congress of The United States of America: 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 the 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. 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 279 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 3. 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 Adjutant along with proof of eligibility.

SECTION 4. ACCEPTANCE - Applicant is considered a member upon receiving dues by Post Adjutant. Also acceptance by a member of another post applying to transfer to Jacksonville Post 279, American Legion, Department of Illinois is the same.

SECTION 5. REJECTION – No applicant will be rejected by Post 279 without cause. Refer to Article IV Sec #1 & 2.

SECTION 6. 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 7. The annual membership year of the American Legion is from August, 1 through July, 31 of the following year. A member whose dues for the current year have not been paid by February 1st shall be classified as delinquent. If their dues are paid on or before April 1st., the delinquent member shall be reinstated. If delinquency continues after April 1, all privileges shall be suspended. If suspension continues through August, 31st, 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 8. NOTICE - Each member shall assume the responsibility of forwarding a correct address and or email address to the Post Adjutant and shall notify the Adjutant of any change thereof.

SECTION 9. 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 10. 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 11. 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 V

MEETINGS

SECTION 1. The regular meetings of the Post shall be held at the Jacksonville, IL. Post 279 at 903 W. Superior at 19:00 hours the first Tuesday of every month, and 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, unless voted on and passed by 2/3 of members present at last meeting before holiday.

SECTION 2. ANNUAL ELECTION MEETING of the Post membership shall be the June meeting or within 45 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. Eight (8) members of the post, in good standing, shall constitute a quorum.

SECTION 5. VOTING. Voting at any meeting shall be orally by "YES" or "NO" vote, with one vote for each member present upon each proposition submitted. Propositions for vote shall be by motion and duly seconded. A proposition shall be deemed carried when 75% of members , a quorum being present, vote "YES" . A refusal to vote by a member present, upon any proposition submitted , shall be treated as though such member was not present and his/her action in that respect recorded in the minutes of the meeting.

SECTION 6. 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 and or Website or posting at Post 279.

SECTION 7. RULES OF ORDER - The procedure of business at any regular meeting of this Post shall be conducted according to the National and Department Parliamentary Procedures.

SECTION 8. 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, 11th Edition Newly Revised 2011.

ARTICLE VI

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 of members present. 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 at of beginning in July of each year for the succeeding calendar year.

SECTION 3. Any member, who has had 50 years of uninterrupted membership at Jacksonville Post 279 shall have their annual membership dues paid by Post 279 so long as the member is in good standing.

ARTICLE VII

ELECTIONS AND APPOINTMENTS

SECTION 1. All elections shall be by show of hands if only one candidate is nominated for an office at a regular Post meeting and receives the majority of members' votes, a quorum being present, shall be considered as elected to that office. Paper ballots will be used if more than one candidate is nominated for the same office. Voting will occur on a chosen day by 2/3rds of the members present at the meeting.

SECTION 2. The Commander shall call for nominations at the June meeting and officers will be elected at that time.

SECTION 3. 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 4. 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 Post 279 of at least two consecutive years immediately prior to the assumption of office.

ARTICLE VIII

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 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 shall be voted on by the membership at any regular Post meeting, a quorum being present, provided the membership of the Post has been given notice by Mail or website or posting at Post 279 at least one week prior to such election.

ARTICLE IX

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 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. Any member in good standing 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.

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.

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. The Finance Officer shall keep accurate records of all special accounts, such accounts to be included in each report to the membership. The Finance Officer shall be responsible for the securing of all bonds, notes, insurance policies, certificates of value, and other securities as required of the Post and, upon the recommendation of Commander, place them in a safety depository. The Finance Officer or the Assistant Finance Officer may deposit Post proceeds and revenues in approved bank accounts, and shall perform such other duties as directed by the Post Commander.

SECTION 5. 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 6. 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 7. 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 8 BY-LAWS These By-Laws are for Jacksonville, IL American Legion Post 279, anything not covered will be referred to the Illinois or National by-laws.

ARTICLE X

AMENDMENTS

SECTION 1. This constitution is adopted subject to the provisions of the National Constitution of The American Legion and the Department Constitution of the Department of Illinois, the American Legion. Any amendment to said National Constitution or Department Constitution which is in conflict with any provisions hereof shall be regarded as automatically repealing or modifying the provisions of this Constitution to the extent of such conflict.

SECTION 2. This constitution may be amended at any regular post meeting by a vote of 2/3 of the members, a quorum being present (SEE Article V MEETINGS SECTION 4 (QUORUM)) of said post attending such regular meeting, providing that the proposed amendment shall have been submitted in writing and read at the next preceding meeting of said post, and providing, further, that written notice shall have been given to all members at least 15 days in advance of the date when such amendment is to be voted on, notifying said members that such meeting a proposal to amend the Constitution is to be voted upon. A posting on The American Legion Post 279 Website shall be deemed appropriate and considered adequate written notice.

Signed this day and approved by 2/3 vote by membership present this 1st day of August 2017

Signed

Commander

Danny Davison

Senior Vice Commander

Frank Marshall

Jr. Vice Commander

Zeddie Bell

Finance Officer

Adjutant

Warren Heaton

Service Officer

John Sampson

