

CONSTITUTION

CANTIGNY FIRST DIVISION POST 556, The American Legion, Department Of Illinois

PREAMBLE

For God and country, we associate ourselves together to uphold and defend the Constitution of the United States of America; to preserve the memories and the record of our association in military service; to foster and perpetuate patriotic service to the United States; to encourage service to our community, state, and nation; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom and democracy; and to confirm our comradeship by mutual support to each other and our fellow veterans.

ARTICLE I

Name

Section 1. The name of this organization shall be:

Cantigny First Division Post No. 556, the American Legion, Department of Illinois.

ARTICLE II

Purpose

Section 1. The purpose of this post shall be to promote the ideals set forth in the preamble and the National and Departmental constitutions of the American Legion; to support such American Legion programs as the Post shall decide; and to preserve and support the Post's historic ties to Cantigny, in Wheaton, Illinois and the Society of the First Division.

ARTICLE III

Nature

Section 1. This post is a civilian organization. Membership does not affect or increase liability for military or police service.

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

Section 3. Rank does not exist in the American Legion. No member shall be addressed by his or her military or naval title.

Section 4. Because of the close historic ties between this Post; the Cantigny Branch of the Society of the First Infantry Division; and the 745th Tank Battalion Veterans' Association, the Post will endeavor to conduct all of its activities jointly with the those organizations.

ARTICLE IV

Eligibility

Section 1. Membership in the Post is open to any person eligible for membership in the American Legion. Any person shall be eligible for membership in the American Legion who was regularly enlisted, drafted, inducted or commissioned and who was accepted for and assigned to active duty in the US Army, Army Air Corps, Navy, Air Force, Marine Corps, Merchant Marines or Coast Guard at some time during the periods as set by the American Legion and approved by the Congress of the United States of America, 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 or allied with the United States during wartime, provided that such service shall have been terminated by honorable discharge or honorable separation. No person shall be entitled to membership who has refused on conscientious, political or other grounds to subject himself to military discipline or service.

Section 2. There shall be no form or class of membership except an active membership, and dues shall be paid annually or for life.

Section 3. No person may be a member at any one time of more than one post.

Section 4. The Post especially welcomes members of the Cantigny Branch of the Society of the First Division and the 745th Tank Battalion Veterans' Association, provided that such persons are eligible for membership in the American Legion. The Post encourages its members, if eligible, to become members of the latter organizations. However, all veterans eligible for membership in the American Legion are welcome in the Post, whether or not they have served in the 1st Infantry Division or the 745th Tank Battalion.

ARTICLE V

Membership

Section 1. No person, who has been expelled by another post, shall be admitted to membership in this post, without the consent of the expelling post or, when such consent has been requested and denied by such post, the Executive Committee of the department of the expelling post. If permission is granted by either the expelling post or its departmental Executive Committee, the applicant shall not be admitted to Cantigny First Division Post 556 until a thorough investigation has been made by the executive committee and with their recommendation.

Section 2. Any member of this post may be expelled for cause by a two thirds vote of the executive committee.

Section 3. A member who has been expelled from this post for any cause may be reinstated by a two-thirds vote of the executive committee: Provided, however, that he or she shall make payment of any arrears in his or her dues at the time of the expulsion, and also all other regular dues which have been payable in the interval between the expulsion, and the reinstatement.

Section 4. Life membership may be awarded to a member for especially significant service. Candidates for life membership may be nominated to the Executive Committee by any other member. The Executive Committee will select candidates from the nominees and present them for election by the membership present at the September meeting. Life members will be installed at the November meeting and will be exempt from post dues for the remainder of their membership.

Section 5. Subject to the Constitution and By Laws of the American Legion and of the Department of Illinois, American Legion, the Post extends honorary life memberships to all World War II veterans, Korean War Era veterans, any veteran otherwise eligible for membership who has achieved the 60th anniversary of his or her discharge from military service, and such other persons as the Post elects to so honor for distinguished service and/or achievement in support of the ideals expressed in the Preamble to this Constitution.

ARTICLE VI

Officers

Section 1. The administrative affairs of Cantigny First Division Post 556 shall, except as may be otherwise provided by the by-laws, be under the supervision of the executive committee which shall consist of two members in addition to the officers of the post. The term of office of the members of the executive committee shall be for one year. This post, by its by-laws, may provide for such other standing committees as the business of the post may require.

Section 2. The officers of this post shall be the following, or as many of these positions as can be filled in this order of priority by willing candidates: a Commander, a Senior Vice Commander, a Junior Vice Commander, an Adjutant, a Post Service Officer, a Finance Officer, a Sergeant-at-Arms, a Post Historian, a Post Chaplain and such other officers as may be deemed necessary by this post. They shall be nominated from the floor at the annual election, except the Adjutant and the Sergeant-at-Arms, who shall be appointed by the newly elected commander on or before the Illinois Department Convention.

Section 3. At any time that there are not sufficient willing candidates to be elected to each officer position, the Commander, subject to the approval of the Executive Committee, may combine positions or leave a position vacant.

Section 4. Because of the historic role of Cantigny in the affairs of this post, the Executive Director of the First Division Museum at Cantigny Park in Wheaton, Illinois, or a member of his staff, shall always be a member of the executive committee, provided that such person is also a member in good standing of Cantigny First Division Post 556.

Section 5. All officers and executive committeemen shall be elected annually between the May and June post meetings and shall hold office from July 1 through June 30 of the following year. Officers may succeed themselves in office.

Section 6.. Any officer or executive committeeman may be removed for inefficiency or for disregarding the wishes of the members. A three fourths vote of the members in attendance is necessary to effect such removal, providing the meeting is a regularly scheduled meeting and a quorum is present.

Section 7. Every member of this post in good standing shall be eligible to hold office in this post only if, during the previous 2 years, he or she attended a majority of the regularly scheduled meetings.

Section 8. The duties of officers and the executive committeemen shall be those usually appertaining to such officers or committeemen and as further provided by the by-laws.

ARTICLE VII

Finances

Section 1. The revenue of this post shall be derived from membership or initiation fees, from annual membership dues and from such other sources as may be approved by the executive committee.

Section 2. The amount of such membership or initiation fees and the amount of such annual post dues shall be fixed and determined by the executive committee.

Section 3. The post shall pay to the Departmental Headquarters the National and Departmental annual membership dues for every member of the post.

Section 4. The post shall also pay all per capita dues for all World War II, Korean War Era and all Post members who have been an American Legion member for at least fifty years and have been a member in good standing of Cantigny Post 556 for the last five years.

Section 5. All monies kept by Cantigny First Division Post 556 shall be placed in one or more accounts in an FDIC-insured bank. The Commander and the Finance Officer shall have access to all accounts and may make deposits to or withdrawals from same. They shall submit for the executive committee's approval a quarterly report on all transactions made and monies held by the post. Such quarterly reports shall be distributed to the membership.

Section 6. The Post shall not operate in a deficit.

ARTICLE VIII

American Legion Auxiliary

Section 1. This post recognizes an auxiliary organization to be known as the Auxiliary Unit of Cantigny First Division Post 556 of the American legion.

Section 2. Membership in the auxiliary shall be as prescribed by the national constitution of the American Auxiliary.

ARTICLE IX

Amendments

Section 1. This constitution is adopted subject to the provisions of the national constitution of the American Legion and of the Department constitution of the Department of Illinois, the American Legion. Any amendment to said constitution or department constitution which is in conflict with any provisions of this

constitution, shall be regarded as automatically repealing or modifying such provisions to the extent of such conflict.

Section 2. This constitution may be amended at any regular post meeting by a vote of two-thirds of the members attending such regular meeting, provided that the proposed amendment shall have been submitted in writing to the Executive Committee and read at the prior regular meeting of Cantigny First Division Post 556. Amendments may be proposed by any member at any time. The Commander shall ensure that an opportunity for open discussion of proposed amendments occurs before a vote is taken.

Section 3. Annually, the Commander shall cause the Constitution to be reviewed by the membership and shall solicit recommended amendments from the membership.

BY-LAWS

ARTICLE I Management

Section 1. The government and management of this post are entrusted to an executive committee as described in Article VI, section 1 of the post constitution.

Section 2. The Executive Committee shall consist of two (2) members in addition to the officers of the post and together with the other officers of the post shall be elected annually. All election of officers and committeemen shall be by ballot and the candidate or candidates receiving the highest number of votes shall be elected to the respective office or offices for which they are candidates.

Section 3. All vacancies existing in the executive committee or in any office of the post from any cause other than the expiration of the term shall be filled by majority vote at the next regular meeting and a person so elected shall hold office for the un-expired term of the member of the committee or officer whom he succeeds. A vacancy shall exist when a member officer is absent from his post for three unexcused consecutive post meetings. A vacancy shall also exist when a member of the committee, including officers, is absent due to illness or any other cause for four (4) consecutive post meetings. Since this period is 1/3 of a year, the member obviously has not been able to carry out his duties for which he was duly elected. An election shall be held at the next regularly scheduled meeting to fill the vacancy. This is only being done for the good of the Post since these duties are important and must be carried out in the most efficient manner possible. If the absent member or officer is aware prior to the aforementioned four meetings, that he will be unable to perform his duties, for any reason, he should submit a written resignation at his or her earliest convenience.

Section 4. The post's records, archives and property shall be maintained at the First Division Museum at Cantigny, in Wheaton, Illinois. Meetings will normally be held at Cantigny unless otherwise determined by the executive meeting and announced to the membership in advance.

ARTICLE II Post Executive Committee

Section 1. 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 (10) days after the installation of the new officers. Thereafter the Post Executive Committee shall meet at the call of the commander at least every three (3) months and as often as said commander may deem necessary. The commander shall call a meeting of the Post Executive Committee upon the joint written request of three (3) or more members of said Post Executive Committee. A simple majority of the currently serving members of the Executive Committee shall constitute a Quorum thereof.

Section 2. The Post Executive Committee shall have charge of and be responsible for the management of this post and hear reports of all Committee Chairmen. It shall be charged with the responsibility of the Acts of any or all committees or bodies which may be created for legal or other purposes and all committee or sub-committees shall be under the jurisdiction of the Post Executive Committee which shall be subject to the will and pleasure of the members of Cantigny First Division Post 556.

ARTICLE III Duties of Officers

Section 1. Duties of Post Commander - It shall be the duty of the Post Commander to preside at all meetings of the post and to have general supervision over the business and affairs of the post, and as such, he or she shall be the chief executive officer of the Post. He shall approve all orders directing the disbursement of funds and shall sign all checks disbursing the monies of the Post. He shall make an annual report covering the business of the post for the year and recommendations for the ensuing year, which shall be read at the annual meeting and a copy thereof immediately forwarded to the Department Adjutant. He shall perform such duties as directed by the Post. He shall be Ex Officio Chairman of all Committees of the Post.

Section 2. Duties of Senior Vice Commander - The Senior Vice Commander shall assume and discharge the duties of the Commander in the absence or disability of, or when called upon by, the Post Commander. He shall be charged with the responsibility of membership and will be chairman of all projects for the purpose of raising of funds for the Post.

Section 3. Duties of the Junior Vice Commander - The Junior Vice Commander shall assume and discharge the duties of the office of Senior Vice Commander in the absence of the Senior Vice Commander and in the absence of both the Senior Vice Commander and the Commander of the Post shall assume and discharge the duties of the Post Commander. He shall assume the responsibility of all entertainment for Post activities and shall assume and discharge any and all duties when called upon by the Post Commander.

Section 4. Duties of Post Adjutant - The Adjutant shall have charge of and shall keep a full and correct record of all proceedings of all meetings, keep such records as the Department and National organizations may require; render reports of membership annually or when called upon at a meeting; and, under direction of the Commander, handle all correspondence of the post. He shall make records available for inspection by members upon request.

Section 5. Duties of the Finance Officer - The Finance Officer of the post shall have charge of all finances and see that they are safely deposited in a local bank or banks. He shall keep a true and correct record of all financial transactions and shall report once a month to the Executive Committee and to the Post the condition of the finances of the post. He shall regularly make such recommendations as he may deem expedient or necessary for raising funds with which to carry on the activities of the post. He shall disburse funds at the direction of the Post Commander and may, as an alternate to the Commander, sign checks disbursing the moneys of the post.

Section 6. Duties of Post Historian - The Post Historian shall be charged with the individual records and incidents of the post and post members, and shall perform such other duties as may be determined by the post or the Executive Committee.

Section 7. Post Chaplain - The Post Chaplain shall be charged with the spiritual welfare of the post comrades and will offer divine non-sectarian service in the event of declarations, funerals, public functions, etc., adhere to such ceremonial rituals as are recommended by the National or Department Headquarters from time to time.

Section 8. Sergeant-at-Arms - The Sergeant-at-Arms shall preserve order at all meetings and shall perform such other duties as may be from time to time assigned to him by the Post Executive Committee.

Section 9. Post Service Officer - The Post Service Officer is responsible for bringing to the attention of all veterans and their dependents the rights and benefits granted them by law; for which the American Legion can accept a major share of credit. He is also the chairman of the Bogardus Committee and all veterans' programs.

ARTICLE IV Delegates

Section 1. Delegates and alternates to a department convention shall be elected by ballot by the post at a regular meeting of the post at the annual nomination of new officers.

ARTICLE V
Appointments

Section 1. The Post Commander immediately upon taking office each year shall appoint such committees as necessary to plan and execute the activities and programs of the post. Standing committees shall consist of a chairperson and such members as shall be designated by the Post Commander.

ARTICLE VI
Resolutions

Section 1. All resolutions undertaken by this post shall merely embody the opinion of this post on the subject. A copy of the same shall be forwarded to the Department headquarters before any publicity or other action is initiated by the post.

ARTICLE VII
Meetings

Section 1. The meetings of the post shall be held concurrently with major post activities on dates to be announced annually and generally as follows: January, third Saturday, general membership meeting; March, anniversary observance and spring pancake breakfast; May, Memorial Day weekend, poppy sales; June, summer picnic and election of officers; July, summer Support Our Troops concert at Cantigny; September, third Friday, National POW/MIA Day; October, fall reception; November, fall pancake breakfast and Veterans Day observance; December, holiday party. Meetings are normally held at the First Division Museum at Cantigny unless otherwise announced.

Section 2. The Post Executive Committee shall meet monthly to conduct organizational business and planning on the 1st Tuesday of the month at 4:00 PM at The First Division Museum at Cantigny unless otherwise announced by the commander.

Section 3. The Post Commander or a majority of the Executive committee shall have power to call a special meeting of the post at any time.

Section 4. Upon written request of eleven (11) members, the committee shall call a special meeting of the post at any time.

Section 5. A quorum of the Executive Committee is a simple majority of the members.

ARTICLE VIII
Notices

Section 1. Every member shall furnish the Post Commander and Adjutant with his or her address, telephone number and email address.

Section 2. The Post Adjutant shall cause notice of the annual election to be given at least two (2) weeks prior thereto.

ARTICLE IX
Rules of Order

Section 1. The Commander and Adjutant shall prepare an agenda for each regular meeting of the Post and Executive Committee meeting. The Adjutant shall take and publish minutes of said meetings. Meetings may be conducted formally or informally under the supervision of the Commander.

ARTICLE X
Limitations of Liabilities

Section 1. This post shall incur, or cause to be incurred, no liabilities nor obligations whatever which shall subject to liability any other post, subdivision, group of men, members of the American legion or other individuals, corporations or organizations.

This Constitution and By-laws passed at a meeting of Cantigny Post No. 556 on February 3, 2018. This Constitution and By-laws supercede and replace any and all constitutions and by-laws and amendments to either, which have been operative previous to this date.

Approved this 3rd day of February 2018, by the Executive Committee:

(Signed)

PAUL H. HERBERT, COMMANDER

(Signed)

WILLIAM A. KANIA, ADJUTANT