

416TH ENCOM ASSOCIATION CONSTITUTION

As Amended: 1 October 2004, 4 November 2007, 5 November 2011, and 9 May 2020

ARTICLE I

NAME

The name of this Organization is the 416th ENCOM Association, hereinafter referred to as the "Association", incorporated under the "General Not for Profit Corporation Act of the State of Illinois.

ARTICLE II

PURPOSE

The 416th ENCOM Association is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

ARTICLE III

POWERS

Section 1. This Association shall have such powers as are necessary, incidental, or appropriate in the furtherance of the purposes of this Association as set forth in the Constitution and By-Laws of this Association, and as provided for by the Statutes of the State of Illinois, to include the receipt and collection of dues, contributions, acquisition of real, personal, or mixed property, the sale or mortgage of property, execution of any and all contracts necessary in connection with the activities of the Association, the management, investment, and reinvestment of funds and property, and the expenditure of funds or the making of donations for purposes of the Association.

ARTICLE IV

MEMBERSHIP

Section 1. Membership shall be open to all personnel from the former 416th Engineer Command or the 416th Theater Engineer Command and their subordinate units who previously have served in any unit of the 416th Engineer Command or the 416th Theater Engineer Command in an assigned status for any period of time.

Section 2. Classes of Membership:

- a. Biennial (Every two fiscal years)
- b. Life
- c. Honorary
- d. Associate

Section 3. Qualifications for Membership:

- a. Any member who has paid the amount specified from time to time by the Board of Directors may become an Active or Life Member of this Association.
- b. Honorary Membership may be conferred upon any individual upon approval of the Board of Directors, in recognition of outstanding service given to his Country or this Association.
- c. Associate Membership may be granted to any member of the Active Army Component, Reserve Component, or Civilian upon approval of the board and upon payment of the prescribed dues.

Section 4. Applications for membership shall be in such form as prescribed from time to time by the Board of Directors.

ARTICLE V

FISCAL

Section 1. The fiscal year of the Association shall commence on 1 October of each year and end on 30 September of the following year.

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Section 2. Dues

- a. The dues required for member in the Association are as follows:
 - (1) Biennial Due (Effective 1 October 2004) \$10.00
 - (2) Life Membership \$100.00 One Time Payment
 - (3) Honorary Membership None
 - (4) Associate Membership \$5.00
- b. Any member of this Association who pays \$100.00, shall be made a Life Member of this Association without any further charge.
- c. Biennial dues will be waived for the remaining portion of the first dues period for any new member who joins the Association.

Section 3. Assessments - The Board of Directors may provide for the payment of assessments against all classes of membership except Honorary Members.

Section 4. Investments - Funds of the Association shall be deposited in such banks or financial institutions as directed by the Board of Directors.

Section 5. Expenses - The President of the Association shall approve bills, claims, and expenses of the Association. The Treasurer of the Association therefore shall sign checks in payment.

Section 6. Property - Property of the Association shall be held in the name of the Association, and held subject to the control and direction of the Board of Directors. *In the event of dissolution of the association, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or shall be distributed to the federal government, or to a state or local government, for a public purpose.*

ARTICLE VI

VOTING

- a. The President or presiding officer at a meeting shall determine the method of voting on any matter, and the rules therefore, except as otherwise provided for in the Constitution and By-Laws. Only active and life members of the Association shall have the right to vote or hold office in the Association.
- b. Voting by proxy is not permitted.
- c. Ex-Officio members of committees may not vote.
- d. Associate or Honorary members shall not have the right to vote unless they are otherwise eligible to be active members of the Association.
- e. All eligible voters of the Association present at any meeting at which a vote of the Association membership takes place shall be entitled to one vote on each matter or issue presented to them for voting.

ARTICLE VII

RULES OF ORDER

Section 1. Order of Business. Except as otherwise provided for in the Constitution and By-Laws of this Association the order of business of the Association shall be as provided for in the latest issue of Roberts Rules of Order.

Section 2. Parliamentary Authority - The Rules contained in the latest issue of Roberts Rules of Order shall govern the Association in all cases, except when otherwise provided for in the Constitution of this Association.

ARTICLE VIII

AMENDMENTS

This Constitution may be amended at any meeting of the Association, provided that the proposed amendment receives a favorable vote of a majority of all eligible voters present.