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CONSTITUION AND BYLAWS OF

Safety Harbor Unit 238, Inc

AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA

2016-2017

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 during 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 goodwill on earth; to safeguard and transmit to posterity, the principles of justice, freedom and democracy; to participate in and contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

CONSTITUTION

Article I - Name

The name of this organization shall be American Legion Auxiliary, ***Safety Harbor Unit 238***, Inc. Department of Florida.

Article II - Nature

Section 1. The American Legion Auxiliary, Safety Harbor Unit 238, Inc. Department of Florida is a civilian patriotic service organization of women that supports the mission of the American Legion.

Article III - Objective

Section 1. The objective of the American Legion Auxiliary, Safety Harbor Unit 238, Inc. Department of Florida shall be as stated in the Preamble of the Constitution.

Article IV - Eligibility

Section *1.* Membership in the American Legion Auxiliary shall be limited to the great grandmothers, grandmothers, mothers, sisters, wives, and direct and adopted female descendants of members of The American Legion, and to the grandmothers, mothers, sisters, wives, and direct and adopted female descendants of all men and women who were in the Armed Forces of the United States 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 date of cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who being citizens of the United States at the time of their 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, and died in line of duty or after honorable discharge; and to those women who of their own right are eligible for membership in The American Legion.

Section 2. There shall be two classes of membership, Senior and Junior.

(a) Senior membership shall be composed of members over the age of eighteen years; provided, however, that a wife under the age of eighteen years, who is eligible under Section 1 of this article, shall be classed as a Senior member.

(b) Junior membership shall consist of that group under the age of eighteen years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen years, Junior members shall automatically be admitted into Senior membership with full privileges.

(c) Dues of both classes shall be paid annually or for life.

Article V - Unit Officers

Section 1. The Unit shall elect annually a President, First Vice President, Second Vice President, Treasurer, Chaplain, Historian and Sergeant-at-Arms, who shall serve until their successors are duly installed or as otherwise provided. A Secretary will be appointed by the President.

Article VI - Executive Committee

Section 1. There shall be an Executive Committee which shall consist of the officers and 3 additional members-at-large elected by the Unit. The term of office for members of the Executive Committee shall be for one year.

Article VII – Amendments

Section 1. This Constitution may be amended by a two-thirds vote of the members present at a regular Unit meeting provided the proposed amendments shall have been read at the previous meeting.

Section 2. This Constitution shall be automatically amended to conform to the National and Department Constitution and Bylaws and Standing Rules of the American Legion Auxiliary.

BYLAWS

Article I - Executive Committee

Section 1. Between meetings the government and management of this Unit shall be entrusted to the Executive Committee and all proceedings of said committee shall be presented to the Unit at the next meeting for approval.

Section 2. A vacancy existing in the Executive Committee from any cause other than the expiration of a term shall be filled by a majority vote of the entire committee. A person so elected shall hold office for the unexpired term of the member she succeeds.

Section 3. One-third of the members of the Executive Committee shall constitute a quorum.

Section 4. Special meetings may be called by order of the President or on written or electronic request of at least three members of the Executive Committee. Uniform notice of such special meeting shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forty-eight hours in advance. At special meetings only business specified shall be transacted

Article II – Elections

Elections shall be held annually. **See Standing Rules**

Article III – Committees

See Standing Rules

Article IV - Dues

Section1. Dues shall be paid annually or for life. **See Standing Rules**

Section 2. A member failing to pay annual dues, including the Unit, State and National assessments, by January 31, shall be classed as delinquent and shall be suspended from all membership privileges. Payment of back dues, after suspension, shall reinstate such member to active membership. Any member delinquent for three (3) years concurrently to December 31 of the year of delinquency shall automatically be dropped from the rolls and may be reinstated only by paying all back dues, or by re-establishing eligibility and making application as a new member.

Article V – Quorums

See Standing Rules

These Constitution, Bylaws and were read and approved at a regularly scheduled meeting held on January 05, 2015.

Unit President

Unit Secretary

Unit Constitution and Bylaws Chairman

January 12, 2016
Date

Approved by:

Department Constitution and Bylaws Chairman

January 28, 2016
Dated

Article VI – Discipline

Section 1. For any violation of the Unit, Department or National Constitutions, or for conduct improper and prejudicial to the welfare of the American Legion Auxiliary or of the American Legion, any member may be expelled from membership, or any officer may be removed from office by a two-thirds vote at a Unit meeting duly called for that purpose; said expulsion or removal to be binding only in the event that said member or officer shall have been given at least a fifteen (15) day notice in writing by the Unit Secretary of

the charges and the hearing thereon. Either party may have the right to appeal to the Department Executive Committee. The said Committees action thereon shall be final. The expenses of said appeal shall be borne by the appellant.

Section 2. No member or group of members shall subject this Unit to liability without authorization of the Unit.

Article VII – Parliamentary Authority

Section 1 The Unit organization shall be governed by "Robert's Rule of Order, Newly Revised" on all points not covered in National and or Department Constitution and Bylaws.

Article VIII – Amendments

Section 1. These Bylaws may be amended by a two thirds vote of the members present at a regular meeting provided the proposed amendments shall have been read at a previous Unit meeting.

Section 2. Amendments not having been read may be adopted by the unanimous vote of the members present.

Section 3. This Constitution and Bylaws shall be automatically amended to conform to the National and Constitution and Bylaws and Standing Rules of the Department American Legion Auxiliary.

STANDING RULES

Safety Harbor Unit 238, Inc

AMERICAN LEGION AUXILIARY DEPARTMENT OF FLORIDA

2016-2017

Duties and Powers of Officers

Section 1. ***Duties of the Unit President:*** It shall be the duty of the President to preside at all meetings of the Unit and Unit Executive Committee; to enforce strict observance of the Constitution and Bylaws; to appoint members of the standing committees; to create such other committees and appoint members thereof as she deems advisable; to perform such other duties as custom and parliamentary usage require; and to appoint all officers not otherwise provided for.

Section 2. ***Duties of the First Vice President:*** The First Vice President, when called upon, assists the President, and in her absence performs her duties, and shall succeed her in office in case of death, resignation, or removal. The First Vice President shall be Membership chairman.

Section 3. ***Duties of the Second Vice President:*** The Second Vice President, when called upon, assists the President, and in her absence and the absence of the First Vice President, performs the Presidents duties, and shall succeed her in office in case of death, resignation or removal. Her duties shall also include the administration of the unit's bi-monthly fund raiser on every second and forth Saturday of the month which includes shopping for prizes.

Section 4. ***Duties of the Secretary:*** It shall be the duty of the Secretary to record the proceedings and transactions of all the meetings of the Unit; to act as custodian of all books, papers, and records; to keep a record of names and addresses of the members, showing the source of their eligibility; to send out such notices as are directed by the President; to process the correspondence of the Unit; to keep on file in a comprehensive manner copies of all the correspondence sent and received; and perform such other duties as shall be required of her by the President.

Section 5. ***Duties of the Treasurer:*** It shall be the duty of the Unit Treasurer to receive all monies belonging to the Unit and to account for them. She shall maintain two separate funds, namely a general and a Poppy fund. All Poppy donations shall be placed in the Poppy fund and be used to assist the veteran and his/her children. She shall keep an accounting of her receipts and expenditures, making a monthly report thereon and such other reports as may be deemed necessary by the Unit Executive Committee.
Her accounts shall be reviewed annually. She shall pay all current bills before transferring all funds, books, and papers belonging to the Unit to her successor.

Section 6. ***Duties of the Chaplain:*** It shall be the duty of the Chaplain to offer prayer at the opening and closing of each meeting, and to perform such other duties as the President may direct.

Section 7. ***Duties of the Historian:*** It shall be the duty of the Unit Historian to compile historical records of the Unit and to make a report to the Department.

Section 8. ***Duties of the Sergeant-at-Arms:*** It shall be the duty of the Sergeant-at-Arms to preserve order at the meetings of the Unit and to perform such other duties as may be requested by the President.

Section 9. Where deemed necessary, a Recording Secretary and a Corresponding Secretary may be elected to carry on the duties normally performed by the Secretary.

Section 10. The office of Secretary may be combined with that of Treasurer and called "Secretary-Treasurer."

Executive Committee

Section 1. The Executive Committee shall meet once a month on the first Tuesday, one half hour before the regular meeting.

Section 2. The Executive Committee, except in the case of the President, shall fill vacancies in offices between elections.

Section 3. Any officer staying away from (3) three consecutive meetings without valid reason shall be asked to resign her office. If the officer does not voluntarily give her resignation when asked the unit cannot remove her from office unless they bring her up on charges; the office vacated for this reason shall be filled as prescribed in (Article I, Section 2) above. (Per Article VI Discipline, Section 1.)

Dues

Section 1. The annual membership dues of this Unit shall be $30.00 for Seniors paid annually, or for life, and shall include the Department and National per capita. The annual membership for Juniors shall be $6.00paid annually until the age of 18 years.

Unit Meetings

Section 1. The regular meetings of the Auxiliary Unit shall be held on the 1st Tuesday each month, unless otherwise specified, and shall be called to order at 7:30p.m. Executive Meetings will be held half an hour prior to the Unit meetings.

Section 2. An Annual meeting of this Unit shall be held not more than 90 days nor less than 15 days each year for the purpose of electing officers and receiving annual reports.

Section 3. Special meetings of this Unit may be called by the President, by a majority of the Executive Committee, or upon written or electronic request of members of the Unit.

Section 4 Seven (7) members shall constitute a Quorum at any meeting of the Unit. Four (4) members shall constitute a Quorum of an Executive Committee Meeting. See Bylaws Article I, section 3.

Section 5. Any Unit member present at the American Legion Post #238 on a regular meeting night shall attend the meeting or leave the premises.

Section 6. Any member that is intoxicated at any meeting shall be asked to leave the premises.

Membership

Section 1. New member and transfer applications shall be submitted at the monthly meeting for approval by vote of the membership.

Section 2. No member of this Unit shall solicit members of other Auxiliary Units.

Elections

Section 1. Election may be by voice vote if there is only one candidate; but when there is more than one candidate for the same office, election shall be by ballot and the majority of votes cast shall be necessary to elect. Elections shall be held no more than 90 days nor less than 15 days prior to Department Convention

Section 2. All officers and executive committee members shall be elected annually at a meeting duly called for that purpose. The Secretary is appointed by the incoming President.

A. A Nominating Committee of three shall be elected by the members with all names of the candidates for the committee on the ballot and a chairman so designated at least thirty (30) days preceding the date for nominations for the election. They shall present a qualified slate of nominees willing to accept the position for which nominated. Consent of each candidate shall be obtained to nominate Nominating Committee member(s) may also be a nominee. The President may not be on the committee.

B. Names of the nominees shall be presented to the floor at the March and/or April Meetings. Nominations will be accepted from the floor at both nomination meetings. At this point, nominations will be closed. The election will then be held at the regular May Meeting.

C. In order to participate in the election of the Unit officers, a member shall have paid her dues for the current fiscal year in which the election is held.

D. Unit officers shall be installed coincident with Post rulings.

E. Auxiliary members, except Junior members, shall be notified via email forty-eight (48) hours prior to the election of the Unit Officers.

F. Any member in good standing can run for any office, as in agreement with National and Department Bylaws.

Committees

Section 1. The Unit may have the following standing Committees: Americanism, Auxiliary Emergency Fund, Cavalcade of Memories, Children & Youth, Community Service, Constitution & Bylaws, Education, Girls State, Junior Activities, Leadership, Legislative, Membership, National Security, Past Presidents Parley, Poppy, Public Relations and Veterans Affairs and Rehabilitation.

Section 2. A nominating committee composed of three members shall be elected for the purpose of presenting a slate of Unit officers for the ensuing year.

Section 3. A reviewing committee composed of three members shall be appointed by the Unit President for the purpose of reviewing the Treasurer's accounts at the close of each term, and making a report of the audit to the Unit.

Section 4. A Budget Committee composed of three members, shall be elected by the members for the purpose of presenting a budget for the ensuing year.

Transfers

Section 1. Transfer of membership from one Unit to another in the Department of Florida shall be upon application of the member to, and acceptance by, the other Unit, in conformity with National and Department Constitutions and Bylaws.

Finances

Section 1. Donations to a member in need of financial assistance shall be limited to one hundred dollars ($100.00) from our Unit Treasury. If a greater financial need is necessary, a fundraiser shall be considered and voted upon by the unit members for this particular cause.

Section 2. The President will have a discretionary fund of two hundred ($200.00) available to spend as she deems necessary to support the Unit and its functions. These funds are available to the President without the need of a Unit vote on their spending. These funds are available on a monthly basis and the President shall provide receipts to the Treasurer for any expenditures.

Section 3. A Financial Reviewing Committee shall be elected, and shall have met and completed the past years internal review before the beginning of the new Auxiliary year, July 01.

Delegates

Section 1. Delegates and Alternates to a Department Conference or Convention shall be elected at a Unit meeting duly called for that purpose not less than two (2) weeks prior to the convention. Alternates shall have priority in the order of their election repeated.

Section 2. Delegates and alternates who are elected to represent Unit #238 at a Department Conference or Convention shall follow all instructions given. The Unit shall determine the reimbursement of expenses encumbered by their attendance.

Administration

Section 1. A copy of the monthly financial statement shall be given to the President and to the Secretary. The President or the First Vice-President and Treasurer shall sign all checks authorizing disbursement of monies for the Unit. The treasurer shall pay all authorized bills assigned by the President or the Secretary and shall retain those authorizations for the records. All financial accounts shall be reviewed annually by an appointed committee of three (3) members. She shall pay over and deliver to her successor all monies, vouchers, books and papers belonging to the Unit within one week following the installation of her successor.

Section 2. The current month's minutes and treasurers report will be electronically dispersed to members prior to the next meeting via email.

Section 3. The names and phone numbers of the Executive Committee will be prominently displayed on the Unit web site https://www:americanlegionauxiliaryunit238.com

Fiscal Year

Section 1. The fiscal year will be the same as that of the Department.

Amendments

Section 1. These Standing Rules may be amended by a two-thirds vote of the members present at a regular Unit meeting, or if notice has been given, by a majority vote.

These Standing Rules were read and approved at a regularly scheduled meeting held on January 05, 2015.

Unit President

Unit Secretary

Unit Constitution and Bylaws Chairman

January 05, 2016
Date

Approved by:

Department Constitution and Bylaws Chairman

January 28, 2016
Dated