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JAN 31 2017

CONSTITUTION AND BYLAWS
OF
AMERICAN LEGION AUXILIARY
EMERALD COAST UNIT 402, INC.
DEPARTMENT OF FLORIDA
17860 ASHLEY DRIVE, PANAMA CITY BEACH, FL 32413

7 DECEMBER 2016

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 Emerald Coast Unit 402, Inc., Department of Florida.*

ARTICLE II – NATURE

Section 1: American Legion Auxiliary Emerald Coast Unit 402, Inc. is a civilian patriotic service organization of women that supports the mission of The American Legion.

Section 2: American Legion Auxiliary Emerald Coast Unit 402, Inc. shall be absolutely nonpolitical and shall not be used for dissemination of partisan principles nor for any promotion of the candidacy of any person seeking public office or preferment.

ARTICLE III - OBJECT

The object of the American Legion Auxiliary Emerald Coast Unit 402, Inc., Department of Florida, shall be as stated in the Preamble to the Constitution.

ARTICLE IV – ELIGIBILITY

***Section 1*:** Membership in the American Legion Auxiliary shall be limited to the 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–November 11, 1918; December 7, 1941–December 31, 1946; June 25, 1950–January 31, 1955; February 28, 1961-May 7, 1975; August 24, 1982-July 31, 1984; December 20, 1989-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 the 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 age eighteen (18) and older; provided, however, a member eligible under section 1 of this article, and who is under the age of eighteen (18) years and married shall be classified as a Senior.
B. Junior membership shall consist of that group under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18), Junior members shall automatically be admitted into Senior membership with full privileges.
C. Dues for both classes shall be paid annually or for life.

ARTICLE V – UNIT OFFICERS

Section 1: The Unit shall elect annually a President, Secretary, 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.

ARTICLE VI – EXECUTIVE COMMITTEE

There shall be an Executive Committee, which shall consist of all officers and three (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 – FISCAL YEAR

The fiscal year shall be the same as that of the Department.

ARTICLE VIII – AMENDMENTS

Section 1: This Constitution may be amended by two-thirds (2/3) vote of the members at a regular meeting, provided the proposed amendment shall have been read at the previous meeting.

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

Section 3: 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 on the Executive Committee, from any cause other than 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: A majority 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 (3) members of the Executive Committee. Uniform notice of such special meetings shall be given to all members of the Executive Committee; and, except in extreme emergency, shall be given at least forty-eight (48) hours in advance. At special meetings only business specified shall be transacted.

ARTICLE II – 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 Meetings; to enforce strict observance of the Constitution and Bylaws; to appoint members of Standing Committees; to create such other committees and appoint members thereof as she deems advisable; to perform other such duties as custom and parliamentary usage required and to appoint all officers not otherwise provided for.

Section 2: Duties of the Vice President – The First and Second Vice Presidents, in the order named, shall, when called upon, assist the President and in her absence, perform her duties and shall succeed her in office in case of death, resignation or removal.

Section 3: Duties of the Secretary – It shall be the duty of the Secretary to receive and answer official mail under the direction of the President; to keep on file, in a comprehensive manner, copies of all correspondence sent and received; and to send and give notice of all meetings. It shall be the duty of the Secretary to record the proceedings and transactions of all meetings of the Unit; and to keep all books, papers and records that are needed to carry on the working of the office and care for the archives of the Unit. She is hereby vested with such authority as it is necessary to carry out her duties successfully for the good of the American Legion Auxiliary.

Section 4: Duties of the Treasurer – It shall be the duty of the Treasurer to receive all monies belonging to the Unit and account for them. She shall pay the bonding fee as determined by the Department Office. She shall maintain two (2) separate funds, namely a General Fund, and 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 an annual report thereon and such other reports as may be deemed necessary by the Unit Executive Committee. Her accounts shall be audited annually. She shall pay all current bills before transferring all funds, books, vouchers and papers belonging to the Unit to her successor.

Section 5: Duties of the Chaplain – It shall be the duty of the Chaplain to offer prayer at the opening and closing of each meeting, and perform such other duties as directed by the President and to notify Department of any deceased members on a monthly basis.

Section 6: Duties of the Historian – It shall be the duty of the Historian to compile the historical records of the Unit and to make a report to the Department.

Section 7: Duties of the Sergeant-at-Arms – It shall be the duty of the Sergeant-at-Arms to preserve order at the meeting of the Unit and to perform such duties as may be requested by the President.

ARTICLE III – DUES

Section 1: The annual Senior membership dues of the Unit shall be as stated in the Standing Rules which shall include the Department and National per capita. The annual dues of the Junior membership shall be as stated in the Standing Rules to include the Department and National per capita.

Section 2: A member failing to pay annual dues, including the Unit, Department, and National assessments by January 31, shall be classified 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 to December 31 of the year of the delinquency shall automatically be dropped from the rolls and may be reinstated by only paying back dues or by re-establishing eligibility and making application as a new member.

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ARTICLE IV – UNIT MEETINGS

Section 1: The regular scheduled meeting of American Legion Auxiliary, Emerald Coast Unit 402, Inc. shall be held as stated in the Standing Rules. An Executive Committee meeting shall be held as stated in the Standing Rules.

Section 2: The number of members of a Unit that shall constitute a quorum at any regular scheduled meeting of the Unit shall be as stated in the Standing Rules.

Section 3: Special meetings of the Unit may be called by the President, by a majority of the Executive Committee, with the President notified, or upon written request of three (3) members of the Unit.

ARTICLE V – ELECTION

Section 1: Elections shall be held annually. In order to participate in the election of the Unit Officers, a member shall have paid her dues for the current fiscal year within which the election is held.

Section 2: Elections shall be by ballot, and a majority of the votes cast shall be necessary with the nominee declared. If there is only one person nominated for an office the ballot may be dispensed with and that nominee declared a winner.

Section 3: All Officers and Executive Committee members shall be elected at a meeting duly called for the purpose not more than ninety (90) days prior, nor less than fifteen (15) days prior, to Department Convention

Section 4: The Unit shall notify the Department Secretary of the names and addresses of such newly elected officers, not less than ten (10) days prior to Convention, certification to be made on forms furnished by Department.

Section 5: Vacancies in office between annual elections shall be filled by the Executive Committee.

Section 6: Delegates and Alternates to District Constitutional Conference, or Department Convention shall be elected not less than two (2) weeks prior to the Conference or Convention. Alternates shall have priority in the order of their election.

ARTICLE VI – COMMITTEES

The Unit shall have the following Core Committees: Americanism, Children & Youth, Constitution and Bylaws, Membership, National Security, Audit, Veterans Affairs and Rehabilitation, and such other mission and member/organizational support committees as provided in the Standing Rules.

ARTICLE VII – TRANSFERS

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 Constitution and Bylaws.

ARTICLE VIII – DISCIPLINE

Section 1: For any violation of the Unit, Department, or National Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary or The American Legion, any member may be expelled from membership or any officer may be removed from office by a two thirds (2/3) vote at a Unit meeting duly called for that purpose, said expulsion or removal to be binding only in the event said member or officer shall have been given at least fifteen (15) days' 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, and their action thereon shall be final. The expenses of the 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 IX – PARLIAMENTARY AUTHORITY

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

ARTICLE X - AMENDMENTS

Section 1: These Bylaws may be amended by two thirds (2/3) 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 previously read may be adopted by the unanimous vote of the members present.

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

THIS CONSTITUTION AND BYLAWS WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON 7 December, 2016

x Linda Bowers — Unit President

Linda Bennett — Unit Secretary

x Kathy Johnson — Unit Constitution and Bylaws Chairman

x Patricia A. Dennis — Department Constitution & Bylaws Chairman

APPROVED JAN 2 4 2017 — Date Approved

STANDING RULES

1. The regular scheduled meeting of American Legion Auxiliary Emerald Coast Unit 402, Inc. shall be held on the first Wednesday of each month, unless otherwise specified and shall be called to order at 6 p.m. An Executive Committee meeting shall be held the First Wednesday of the month unless otherwise specified and shall be called to order at 5:30 p.m..

2. Seven (7) members of this Unit shall constitute a quorum at any regular scheduled meeting of the Unit.

3. In addition to the Core Committees listed in the Bylaws, the Unit shall have the following Committees: Auxiliary Emergency Fund (AEF), Community Service, Education, Girls State, Cavalcade of Memories, Junior Activities, Leadership, Legislative, Past Presidents Parley, Poppy, and Public Relations.

4. Unit elected Officers, consisting of the President, Treasurer and Sr Vice President are authorized to sign checks for disbursement of funds from the Unit treasury. All checks MUST have two of the three above signatures.

5. All members responsible for Unit funds shall be bonded through the blanket Fidelity bond and the Unit will pay the annual premium to Department Headquarters.

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

7. A Budget Committee composed of three (3) members, including the Unit Treasurer, shall be elected by the members, or appointed by the President, for the purpose of presenting a budget for the ensuing year.

8. A Nominating Committee, composed of three (3) members, shall be elected by the members for the purpose of presenting a slate of officers for the ensuing year. The committee shall have the permission of each candidate for an office in order to be presented by this committee. This committee is to form no later than two (2) months prior to election.

9. At the beginning of her term, each officer shall receive a copy of the Bylaws and Standing Rules, and each new officer shall receive a current Unit handbook.

10. The Chaplain shall send an appropriate card to each reported sick member and shall notify the District Chaplain of ill or deceased members. The names of the deceased members shall be reported to the Unit Membership Chair, who will submit a Membership Data Form to Department. Upon death of a member, the Unit shall send a monetary donation of $15 to the Loving Tribute Fund or a charity of the family's choice. Upon the death of a member's

immediate family, the Unit shall send a monetary donation of $10 to the Loving Tribute Fund or a charity of the family's choice.

11. Resignation of officers shall be submitted in writing to the President and acted on at a Unit general meeting.

12. No members of the Unit, regardless of official position within the Unit, shall obligate the Unit, in any manner, without first clearing said obligation with the Unit President and Executive Board or a vote at a Unit general meeting.

13. No collections of any kind or sponsoring of products for other organizations or for personal gain at a Unit meeting or function are allowed.

14. A Past President's pin shall be ordered by the Unit Secretary and presented at the Unit installation, or the first general meeting of the new President. This cost is not to exceed $35. The name of said President should also be added to the past Presidents' plaque.

15. Membership

    a. Membership Chairman shall be appointed. Should no qualified appointee be found then the duties shall fall on the First Vice President. All monies and checks pertaining to membership shall be turned over to the Membership Chairman. The membership roster and membership cards to be processed are to remain at all times in the possession of the First Vice President.

    b. The annual membership dues of this Unit shall be $30 for Seniors paid annually unless PUFL, and shall include the Department and National per capita. The annual membership for Juniors shall be $5 paid annually until the age of 18 years.

    c. 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 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.

    d. 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.

    e. Any member requesting to have their membership card reissued will be required to pay a $10 processing fee.

    f. Unit 402 will use its Facebook page as one method to communicate important information to the general membership.

16. Department Convention & Fall Conference

    a. The President or assigned delegate shall give a convention report at the first Unit meeting following convention.

    b. It shall be the duty of each delegate to attend each full session at Convention, unless excused by the head of the Unit delegation to attend to other convention business. If not excused, the delegate shall forfeit monies allotted by her Unit for the time absent. Delegates who are attending Convention will receive no more than $100 per day in the event they attend at least three full sessions on the Convention floor. In order to receive this reimbursement, the delegate must submit receipts for her expenses to the Treasurer of the Unit.

    c. Delegates who are spouses/companions of a Post 402 Legionnaire, who is being reimbursed by the Legion for Convention expenses, will receive no more than $50 per day in the event they attend at least two days on the Convention floor. In order to receive this reimbursement, the delegate must submit receipts for her expenses to the Treasurer of the Unit.

    d. Delegates and alternates to a Department 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.

    e. Participation in at least 50% of the unit meetings during the year is needed in order for a member to be elected as a Delegate or Alternate.

    f. Automatic Delegates for the Department Convention shall be in-coming and out-going Presidents and in-coming Secretary. If any of the above mentioned are unable to go, a Delegate shall be elected in their place.

    g. The out-going President shall be the Chairman of the Delegation. Should she be unable to attend, the in-coming President shall be the Chairman.

    h. Each automatic and elected Delegate shall receive their own check in the amount allotted in the budget and are responsible for their reservations.

    i. Members receiving monies from Department to any functions shall not receive any monies from the Unit.

17. Budget

    a. The budget shall be read at the Unit general meeting following installation of officers and voted on at the next regular Unit general meeting.

    b. The unit president has a discretionary fund of $50 per quarter

    c. A Committee Chairman has discretionary authority to spend up to $50 per year for her program.

    d. The District President shall be presented with a monetary gift of $25 at her official visit.

e. All expenditures, budgeted or non-budgeted, must be accounted for by presentation of receipts to the Treasurer.

f. Dinner for the newly elected Unit Officers at the Installation of Officers Ceremony shall be paid by the Unit. This is a budgeted item.

g. The Liability and the Directors and Officers insurance shall be paid annually by July 1 by the Treasurer. This is a budgeted item.

h. The Treasurer shall pay the yearly Fidelity Bond after July 1 but no later than the July meeting to the Department of Florida. This is a budgeted item.

i. The Donation Committee, appointed by the President shall be required to review all donation requests in excess of $500 before that donation request may come to the Executive Board and the General Membership for a vote. This does not include budgeted donations.

j. The Treasurer, President, and Vice President are authorized to sign unit checks.

k. There will be a $35 service charge on all returned checks presented to the Unit.

l. After the yearly budget has been approved, no further action by the General Membership is required to execute the budget as approved.

18. Code of Conduct and Course of Action: No member shall harass, degrade, threaten, or harm another Auxiliary member; disrupt any Auxiliary meeting vocally or physically at any time; or conduct herself in an unruly or argumentative manner towards any other Legion member or staff, by which that action itself, brings disgrace to the Unit as a whole. If any member does not adhere to this Code of Conduct, these procedures shall be followed:

    a. The charges against the erring member, made by any Unit member, must be presented to the five Executive Committeewomen.

    b. Within seven days, these five Executive Committeewomen will determine whether there is a cause for action. They then will meet with the charged member to explain the charge(s). In the event the charged member refuses to meet with the Executive Committeewomen, the Executive Committeewomen shall present the charge(s) to that member by registered letter, return receipt requested. The charged member has seven days from the date of receipt to reply. If no reply is received within ten days of the letter being sent, the Committee will proceed as though the charged member had received the letter.

    c. The Executive Committeewomen, will determine whether the charge(s) warrant presentation to the Executive Board for further consideration and appropriate action.

    d. If the charges(s) is/are presented to the Executive Board, the Executive Board will take the appropriate action, after carefully following the rules outlined in Chapter X of the Unit Handbook, which could include the following

1) Declaring the member "Not in Good Standing," with notification of same; sending the charge(s) to Department of Florida; 1st district; and retaining a copy at Unit; or

2) Executive Board will contact Department of Florida and institute procedure for expulsion of the charged member.

19. No member of Unit 402 shall be allowed to sit in the canteen while a regular unit meeting is being conducted.

20. No member shall use the kitchen facilities or any part of the hall to sponsor, cater, or in any other manner conduct any personal profit-making event unless properly rented through the Post Commander or Post Manager.

21. Any Unit member working as an employee of the Post in a regular full-time position (over 24 hours weekly) or any office position (any amount of hours weekly) is prohibited from holding office in the Unit.

22. Standing Rules and the Constitution and Bylaws shall be reviewed and revised in July of each year by a committee appointed by the President.

    a. Standing Rules and the Constitution & Bylaws and proposed changes to each are to be submitted to the General Membership in writing and read at the August Unit general meeting, with a second reading and vote at the September Unit general meeting.

    b. Standing Rules for Unit 402 can be changed as needed by two-thirds vote of the members in attendance at any meeting where a change is suggested.

THESE STANDING RULES WERE READ, VOTED ON AND APPROVED AT OUR REGULAR UNIT MEETING ON 7 December, 2016

x Linda Bowers
Unit President

Linda Bennett
Unit Secretary

x Kathy Johnson
Unit Constitution and Bylaws Chairman

x Patricia A. Derrig
Department Constitution & Bylaws Chairman

APPROVED JAN 2 4 2017
Date Approved